97-84089-2

New York (N.Y.)
Committee on Small Parks

Report of Committee on Small Parks

New York

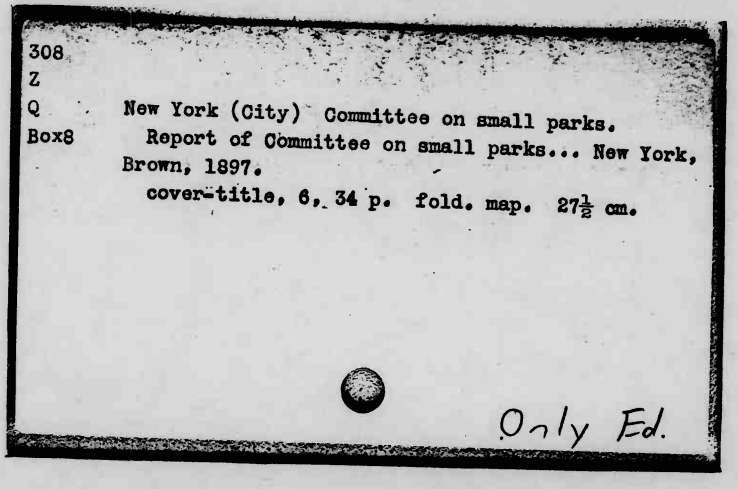
1897

97-84089-2
MASTER NEGATIVE #

COLUMBIA UNIVERSITY LIBRARIES
PRESERVATION DIVISION

BIBLIOGRAPHIC MICROFORM TARGET

ORIGINAL MATERIAL AS FILMED - EXISTING BIBLIOGRAPHIC RECORD



RESTRICTIONS ON USE: *Reproductions may not be made without permission from Columbia University Libraries.*

TECHNICAL MICROFORM DATA

FILM SIZE: 35mm REDUCTION RATIO: 9:1 IMAGE PLACEMENT: (IA) IIA IB IIB

DATE FILMED: 5/15/97 INITIALS: TCM/PB

TRACKING # : MSH 20096

FILMED BY PRESERVATION RESOURCES, BETHLEHEM, PA.

BIBLIOGRAPHIC IRREGULARITIES

MAIN ENTRY: New York (N.Y.) Committee on Small Parks

Report of Committee on Small Parks

Bibliographic Irregularities in the Original Document:

List all volumes and pages affected; include name of institution if filming borrowed text.

_____Page(s) missing/not available:_____

_____Volume(s) missing/not available:_____

_____Illegible and/or damaged page(s):_____

_____

_____Page(s) or volume(s) misnumbered:_____

_____Bound out of sequence:_____

_____Page(s) or volume(s) filmed from copy borrowed from:_____

_____

X Other: pagination: 1-6, 1 unnumbered (foldout map) follows p. 6, p. 1-34

_____

_____Inserted material:_____

TRACKING#: MSH20096

REPORT

OF

COMMITTEE

ON

Small Parks.

CITY OF NEW YORK,

1897.

NEW YORK:
THE MARTIN B. BROWN COMPANY, PRINTERS.
NOS. 49 TO 57 PARK PLACE.

1897.

CITY HALL, NEW YORK,
October 28, 1897.

His Honor WILLIAM L. STRONG, *Mayor:*

The Advisory Committee, appointed by you in the month of June last to consider and advise as to the necessity of additional small parks and playgrounds, respectfully submits the following report and accompanying documents :

The Committee entered upon its duties with a profound sense of the importance of the subject matter submitted to them. This opinion has been confirmed by the careful investigation which they have made as to the requirements of the city, and by the actual facts which have been gathered from the reports of the Police and Health Departments. By the co-operation of the Park Department and of the Health Officers the Committee has been able to prepare a map showing the density of population and the death-rate in the respective wards, and to locate thereon the position of the existing public parks, large and small, and of the school-houses already erected and of those proposed to be built within the limits of the former City of New York. With this preliminary knowledge it has been easy to locate the places where parks and playgrounds were necessary for the growth and recreation of the people.

In the original plan of the City of New York the children seem to have been forgotten. Doubtless this oversight was due to the extensive area of unoccupied land which was available for the games and sports in which the youth of that day were wont to indulge. But as the city has grown in population, and especially within the last thirty years, this unoccupied space has been covered by improvements which has left to the children no other opportunity for play but such as can be found in the streets. The streets themselves have been largely occupied by car tracks and new servitudes, so that it is dangerous as well as obstructive to traffic for the children to use them for games of any kind, without incurring the interference of the police. A sense of hostility between the children and the guardians of public order is thus engendered, leading to the growth of a criminal class and to the educaiton of citizens who become enemies of law and order. Nothing can be worse or more to be deplored than this state of affairs, whether regarded

from a moral or economic point of view. The outlay for police, courts, reformatories, hospitals, alms houses and prisons is thus largely increased, while outside of these safeguards against poverty and crime is bred a general feeling of discontent, which is the cause of much misery, poverty and danger to society. Your Committee are convinced from the careful examination which they have been enabled to make, and especially by the marvelous improvement in the neighborhood of the new small parks, which have recently been brought into use, that the failure to provide for the reasonable recreation of the people, and especially for playgrounds for the rising generation, has been the most efficient cause of the growth of crime and pauperism in our midst.

Again since the city has secured the larger parks there has been a strange oversight of the necessity of providing, first of all, for the children the opportunity to use these public grounds freely for games and recreative sports. In fact it is only within the last year that the primary and superior right of the children to air and sunshine has been recognized by throwing open all the green spaces of the Central Park to their use and enjoyment. In the cities of the old world this superior claim of the children has always been recognized. The Gardens of the Tuileries, laid out by Le Nôtre, the great master of landscape gardening, are probably the most beautiful in the world. Amid all the wealth of shrubbery, flowers, statuary and fountains are spaces under the shade of trees devoted exclusively to games, both for adults and young children, while in the very walks may be found at all times of the day innumerable children digging holes and playing with the dirt heaps thus created. The guardians do not interfere with this apparent destruction of property, but at the close of the day they quietly fill up all of the holes, so that they may be ready for excavation on the following day. In other words, the practical conclusion has been reached, and has been acted upon, that every public park should be first of all a playground for the children, and to this necessity all other considerations are made to yield.

In this connection it is well to state that under the Park Act of 1887, which permitted the appropriation of one million of dollars per annum for the creation of small parks, it was assumed that playgrounds would be an essential part of every open space thus appropriated to the public use. It seems, however, that the authorities of the Park Departments entertain doubts as to whether the language of the Act is sufficiently clear to allow

them to establish playgrounds in any part of these parks. The Chairman of this Committee, under whose personal supervision and direction the Act was drawn, is able to declare that the playground was assumed to be an essential part of the Park, but to avoid all doubt which may now exist upon this point, it is recommended that the act should be so amended as to require playgrounds to be made part of the park in each case ; otherwise the main object in view of the establishment of these parks will be defeated.

Your Committee do not deem it necessary to enlarge upon the considerations which led to the legislation above referred to, because the experience gained in the last ten years has shown conclusively to the public authorities, as well as to the citizens of New York, the absolute necessity as well as the healthful influence upon morals and conduct of these outlets for the physical energies of youth, which, if not directed to good ends, will surely manifest themselves in evil tendencies.

The Committee therefore submit with this report the detailed report of the Sub-Committee, who have been diligently engaged in procuring the information necessary to determine the number and locality of the small parks and playgrounds, which are immediately required for the public use. With the conclusions of the Sub-Committee, your Committee are substantially in accord, and unanimously submit the following recommendations :

1. *That half a block be taken for a public playground in Rivington street, between Goerck and Mangin streets, adjoining the public bath. To this the Board of Street Opening and Improvement has already given its assent.*

2. *That the block between Houston and Stanton streets, Essex and Norfolk streets, in which stand Grammar School No. 13 and the Pro-Cathedral Mission, be taken for a public park and playground, leaving the school and mission where they are.*

3. *That a public playground be established on Cherry Hill, on the site of Gotham Court, now demolished.*

4. *That a shore park be laid out between East Forty-ninth and East Fifty-second streets, on the strip of land on the water's edge, now used for the storage of old iron.*

5. *That a small park be laid out on the two blocks of high land, at present mostly vacant, west of Eleventh avenue, between Fifty-second and Fifty-fourth streets.*

6. *That half of the block bounded by Mulberry and Mott streets, Spring and Broome streets, be taken for a public playground for the Fourteenth Ward.*

7. That a part of a block on the line of Ninth avenue, the site suggested being the eastern end of the block between Fifteenth and Sixteenth streets, be taken for a public playground for the children of the Sixteenth Ward.

8. That a section about 250 by 200 feet at the west end of the block between Thirty-fifth and Thirty-sixth streets, First and Second avenues, be taken for a public playground.

9. That the propriety and feasibility of securing the new New York Marble Cemetery in the block between Second and Third streets, Second avenue and the Bowery, be taken into careful consideration, with a view to its acquirement without cost to the city.

10. That the utility of uniting a playground and push-cart market, as recommended by Colonel Waring, in a block on the line of Hester street, in the Tenth Ward, be carefully considered, and if approved, that the necessary legislation be secured at the earliest possible date.

11. That a public playground at least two hundred feet square be established at or near Grammar School No. 82, First avenue and Seventieth street.

12. That a public playground at least two hundred feet square be established at or near the Public School No. 515, West Thirty-seventh street.

13. That a public playground be established on the line of the Ninth avenue, near Fortieth street; if it be deemed desirable, a push-cart market may be combined.

14. That the playgrounds of the new schools hereafter built, whether on the roof or on the ground, be thrown open to the public out of school hours and be made the general places of recreation for the neighborhood.

In addition to these specific recommendations your Committee are of opinion that the proposed public playground at the foot of East Seventy-sixth street should be established without delay ; that playgrounds should be made part of every park which now has none, and that the policy inaugurated at the Central Park of giving larger privileges to the children for play shall be permanently continued.

It is also recommended that the site on Randall's Island, now used by the House of Refuge under a perpetual lease by the city, shall be secured for a public park, to be established as soon as the proper arrangement can be made and legislation obtained.

The policy of appropriating all unused plots of city ground for children's playgrounds, either temporary or permanent, should be definitely

established, and with this view that the Small Park Act of 1887 should be amended as above recommended so as to make the provision of playgrounds obligatory.

It will, of course, be advisable to consult with the Board of Education before adopting the suggestions as to playgrounds adjacent to public schools, but wherever it is possible to make such a combination it seems to your Committee to be most desirable.

As appears by the report of the Sub-Committee hereto annexed, the expenditure required for the establishment of the parks and playgrounds above recommended, will not exceed three millions, five hundred and eighty thousand dollars. Inasmuch as the amount of one million of dollars per annum, authorized to be expended under the Small Park Act of 1887, was for several years not appropriated, and although not cumulative, is nevertheless an amount which ought heretofore to have been expended, it is recommended that an amendment of the act be secured, authorizing the city authorities to use during the coming year the sum not so expended in carrying out the recommendations of this report. In the judgment of your Committee there is no justification for delay in providing the air spaces required in the densely populated portions of the city where relief is immediately required by every consideration of public policy and morality.

When these recommendations have been carried into effect, there will still remain much to be done, by the continuation of the successful and admirable policy of the Dock Department in providing recreation piers, and of the Board of Education in opening, out of school hours, the playgrounds which under the law must henceforth be established in connection with each school. Above One Hundred and Fifty-fifth street the law now authorizes the Board of Street Openings to lay out parks and playgrounds, and your Committee earnestly recommends that this be done in every part of the outlying suburbs before the growth of population shall raise the value of the land required and in anticipation of the requirements for recreation, so that the children of the coming generation shall not be subjected to the evil influence of an education acquired in the streets of the city, so unfavorable as it has proved to be to their physical and moral development.

Your Committee desires in conclusion to express its hearty acknowledgments to the Officers of the Park and the Health Departments, without whose co-operation it would not have been possible to make, within reasonable limits of time, specific recommendations ; to the Commissioners of the

Dock Department for the recognition of the value and necessity of recreation piers upon the water front of the city ; and to the Board of Education for the ample provision of school playgrounds which with their approval can be made available for the public at a time after school hours when they are most needed.

The hope of your Committee is that by the hearty co-operation of the public authorities in all departments of the city government the reproach, which for so many years has rested upon the fair fame of the city, and the danger which menaces public order by depriving the children of a proper outlet for their physical energies, and for the development of their moral faculties, will be removed as soon as possible, and never again be allowed to reach its present discreditable and dangerous proportions.

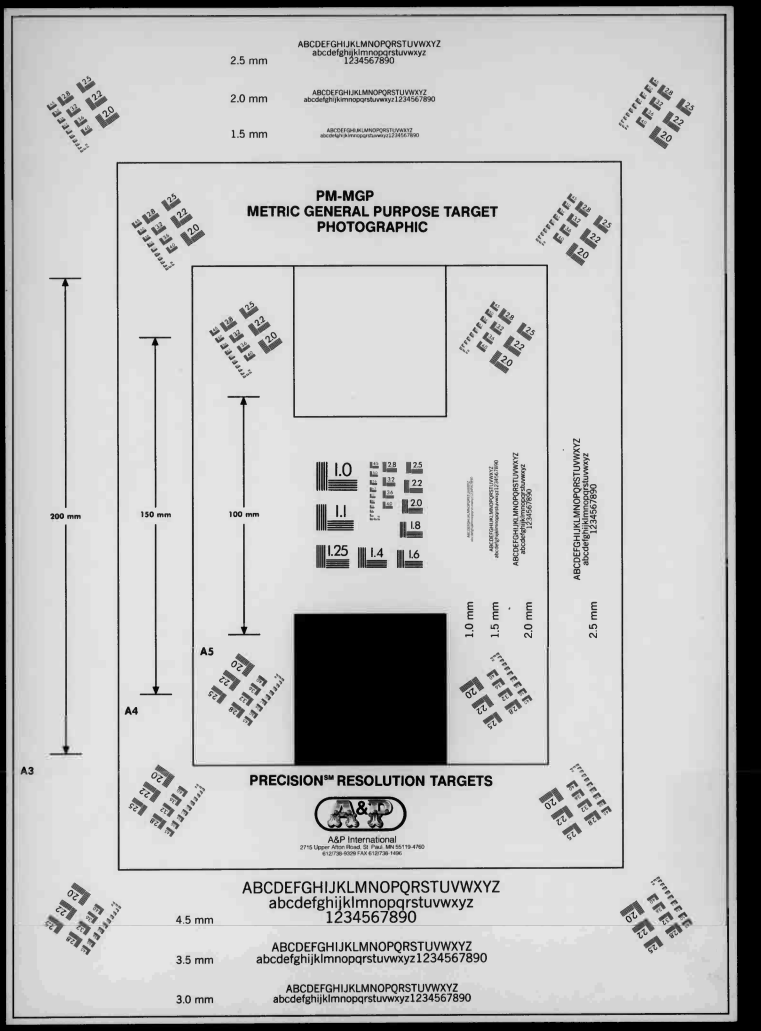
Your Committee begs leave to express to you personally their thanks for the interest which you have shown in promoting this great reform, which promises the most beneficent results and is absolutely necessary in order that all the people of the city shall share in the benefits of its growth and prosperity.

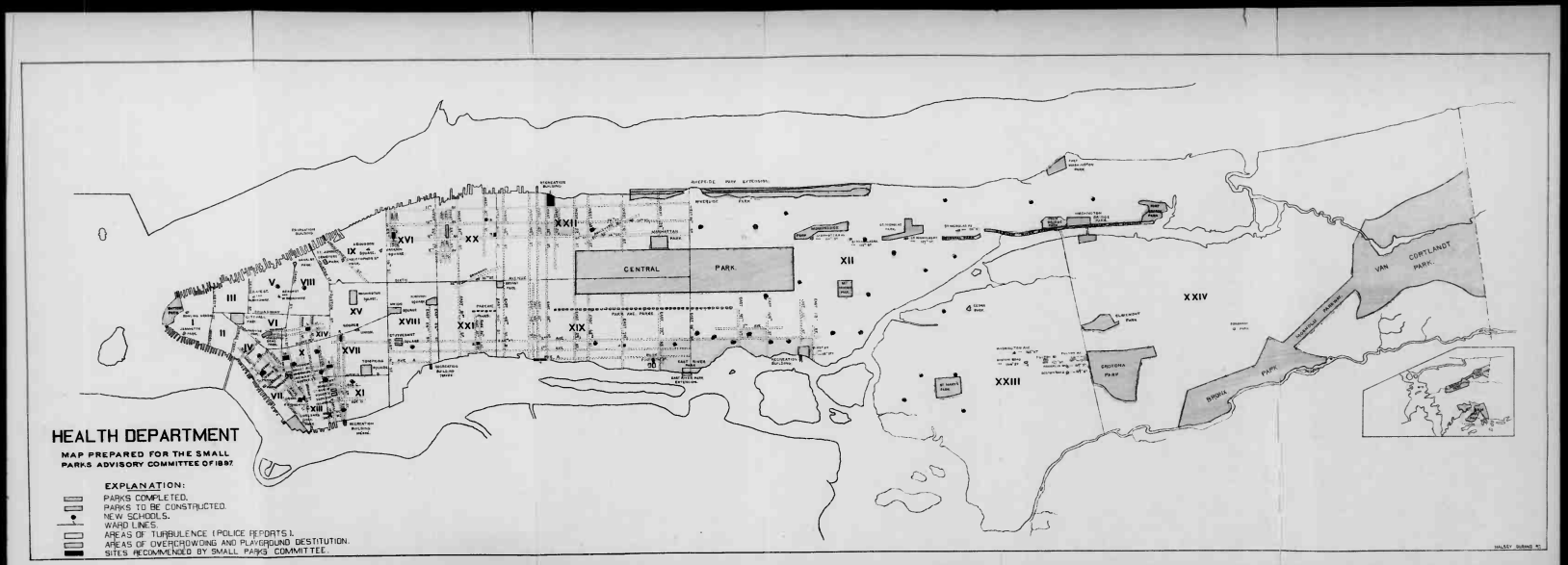
For the purpose of assisting the public authorities in carrying into effect the recommendations hereinbefore contained, it is respectfully suggested that the Committee be continued until otherwise ordered.

(Signed) Abram S. Hewitt, *Chairman.*
De Witt J. Seligman.
John B. Devins.
Myer S. Isaacs.
James J. Higginson.
William R. Stewart.
Joseph D. Bryant.
Charles G. Wilson, *ex-officio.*
Samuel McMillan, *ex-officio.*

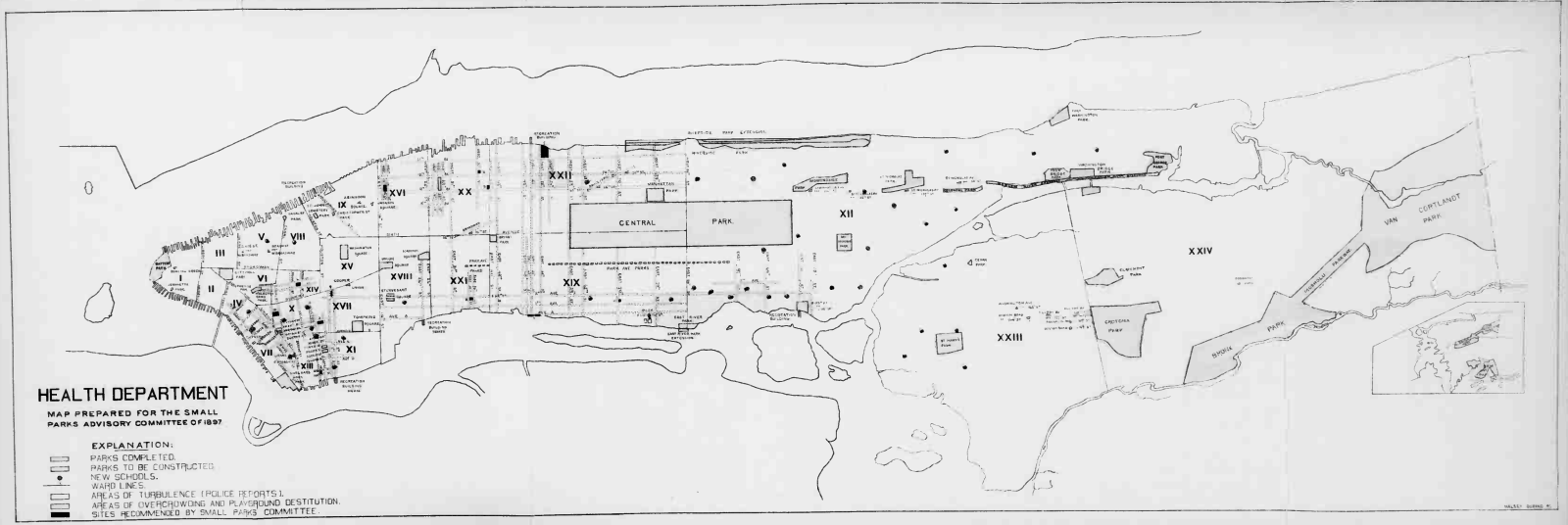
Jacob A. Riis,
Secretary.

REDUCTION RATIO 21:1


ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
1234567890
2.5 mm
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz1234567890
2.0 mm
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz1234567890
1.5 mm
PM-MGP
METRIC GENERAL PURPOSE TARGET
PHOTOGRAPHIC
1.0
1.1
1.25
1.4
1.6
1.8
2.0
2.2
2.5
2.8
3.2
3.5
4.0
4.5
5.0
5.6
6.3
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
1234567890
1.0 mm
1.5 mm
2.0 mm
2.5 mm
200 mm
150 mm
100 mm
A5
A4
A3
PRECISION℠ RESOLUTION TARGETS
A&P International
2715 Upper Afton Road, St. Paul, MN 55119-4760
612/738-9328 FAX 612/738-1496
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
1234567890
4.5 mm
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz1234567890
3.5 mm
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz1234567890
3.0 mm

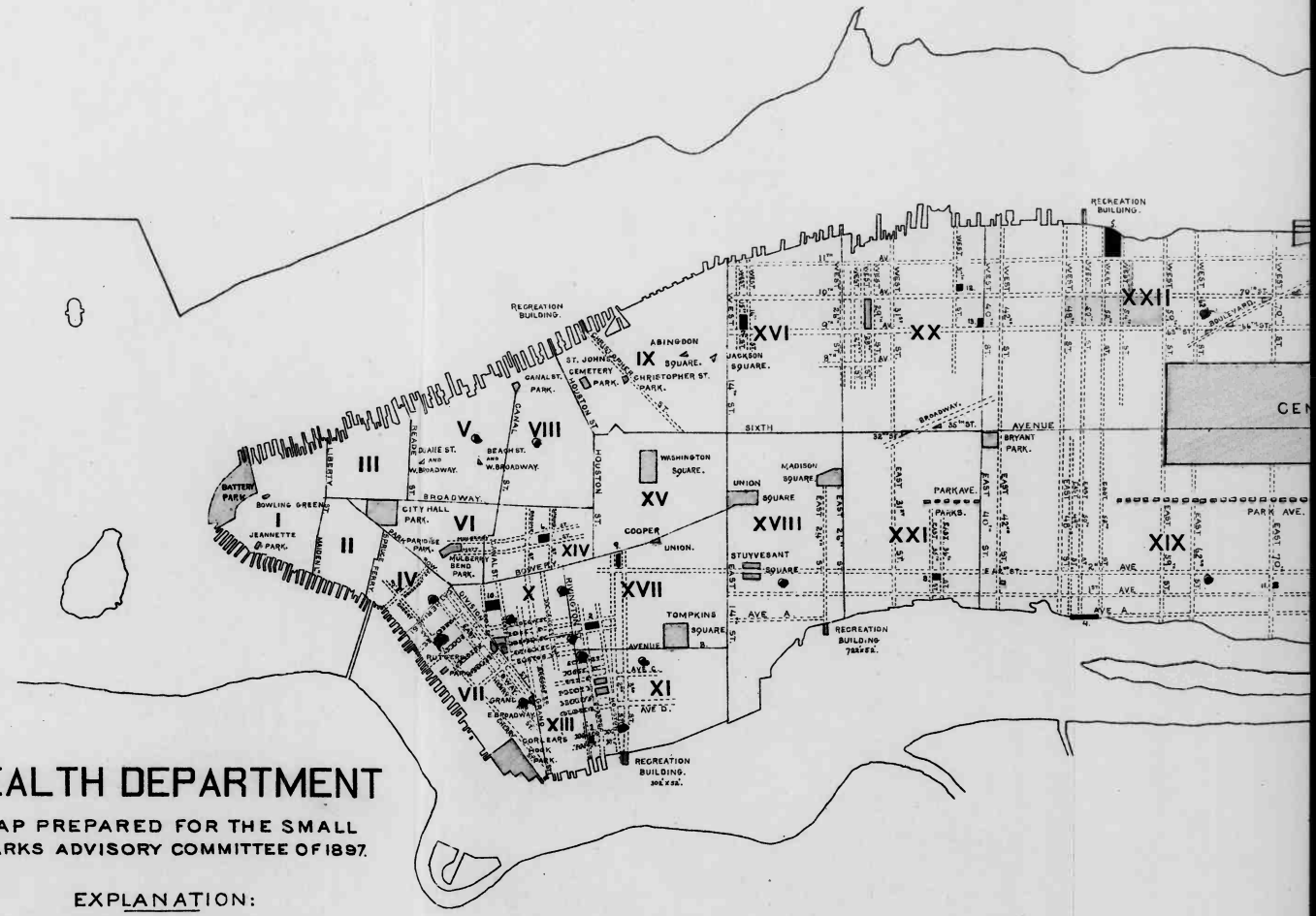

HEALTH DEPARTMENT
MAP PREPARED FOR THE SMALL PARKS ADVISORY COMMITTEE OF 1897
EXPLANATION:
PARKS COMPLETED.
PARKS TO BE CONSTRUCTED.
NEW SCHOOLS.
WARD LINES.
AREAS OF TURBULENCE (POLICE REPORTS).
AREAS OF OVERCROWDING AND PLAYGROUND DESTITUTION.
SITES RECOMMENDED BY SMALL PARKS COMMITTEE.
CENTRAL PARK
VAN CORTLANDT PARK
BRONX PARK
CROTONA PARK
I
II
III
IV
V
VI
VII
VIII
IX
X
XI
XII
XIII
XIV
XV
XVI
XVII
XVIII
XIX
XX
XXI
XXII
XXIII
XXIV

INTENTIONAL SECOND EXPOSURE



REDUCTION RATIO 9:1

100 mm
A5
1.0
1.1
1.25
1.4
1.6
1.8
2.0
2.2
2.5
2.8
3.2
3.6
4.0
4.5
5.0
5.6
6.3
7.1
8.0
9.0
1.0 mm
1.5 mm
2.0 mm
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
1234567890



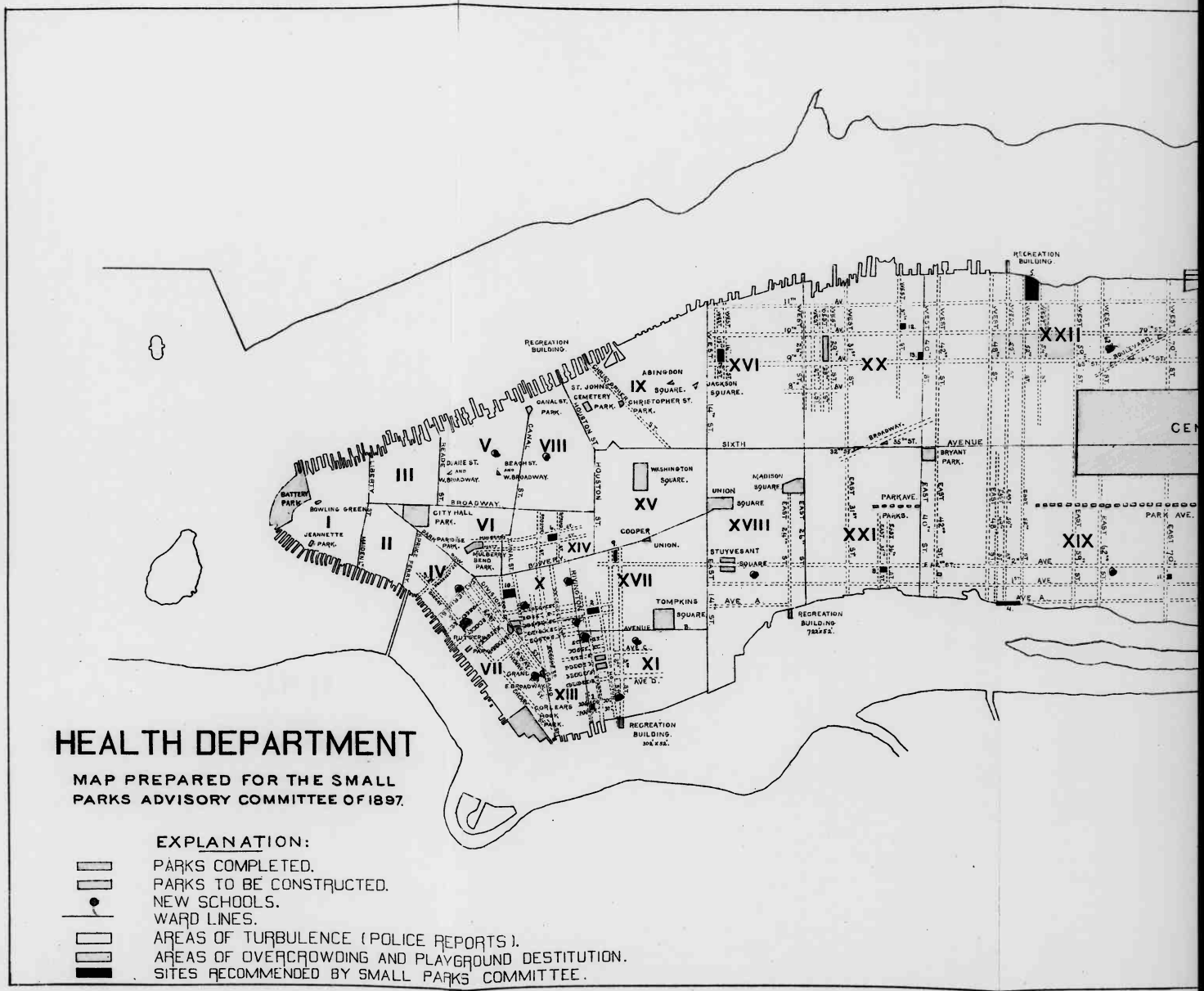
HEALTH DEPARTMENT

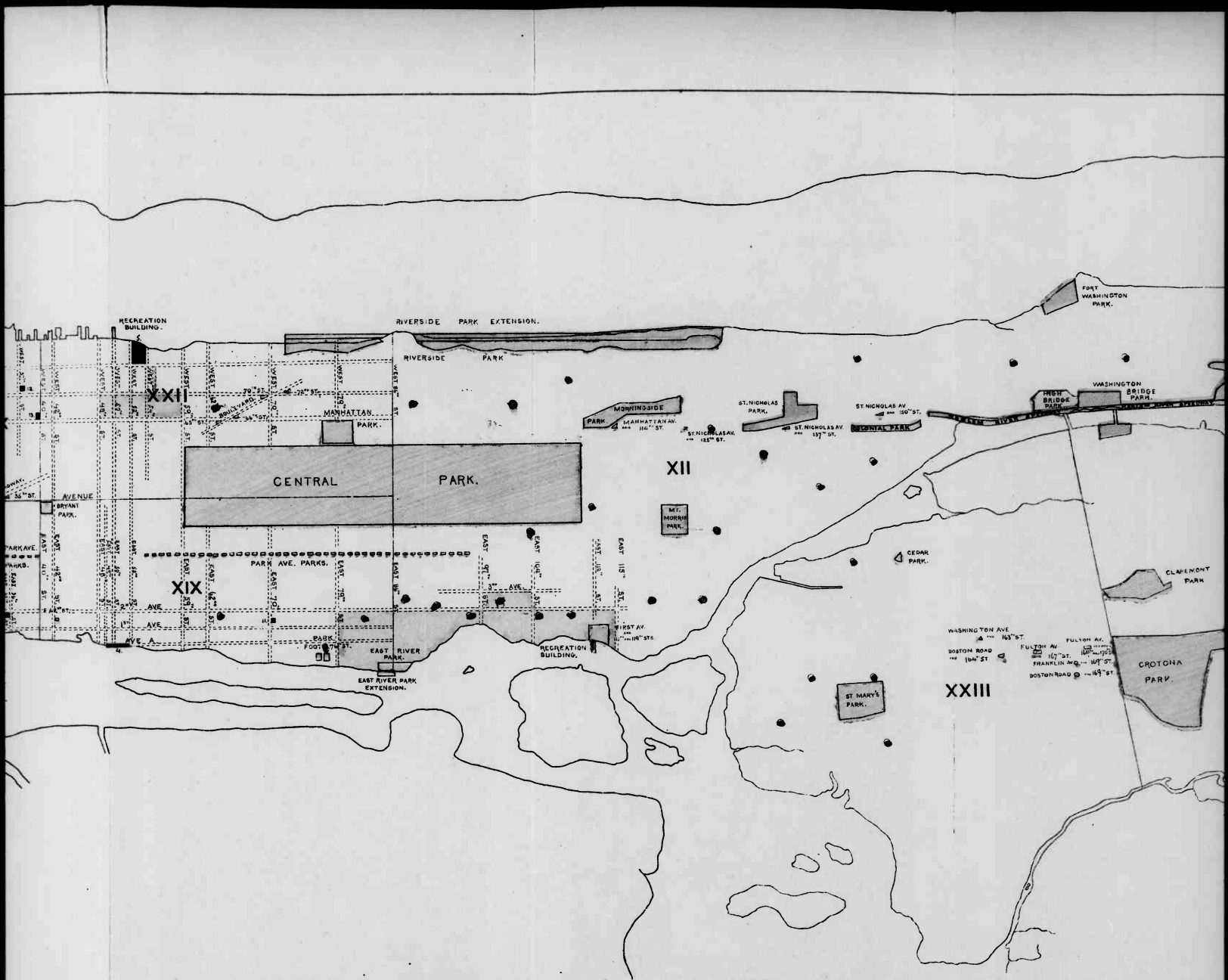
MAP PREPARED FOR THE SMALL PARKS ADVISORY COMMITTEE OF 1897.

EXPLANATION:

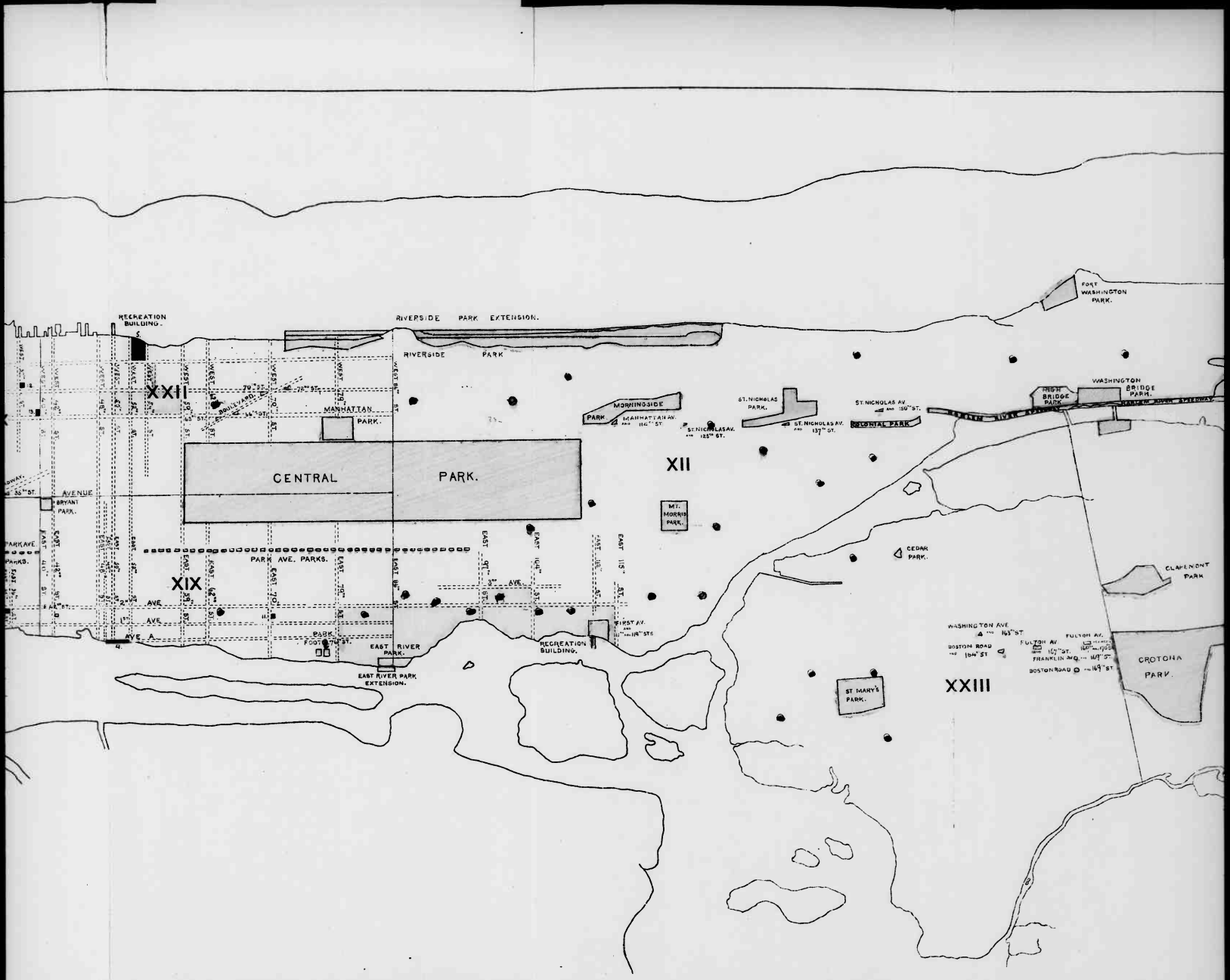
- PARKS COMPLETED.
- PARKS TO BE CONSTRUCTED.
- NEW SCHOOLS.
- WARD LINES.
- AREAS OF TURBULENCE (POLICE REPORTS).
- AREAS OF OVERCROWDING AND PLAYGROUND DESTITUTION.
- SITES RECOMMENDED BY SMALL PARKS COMMITTEE.

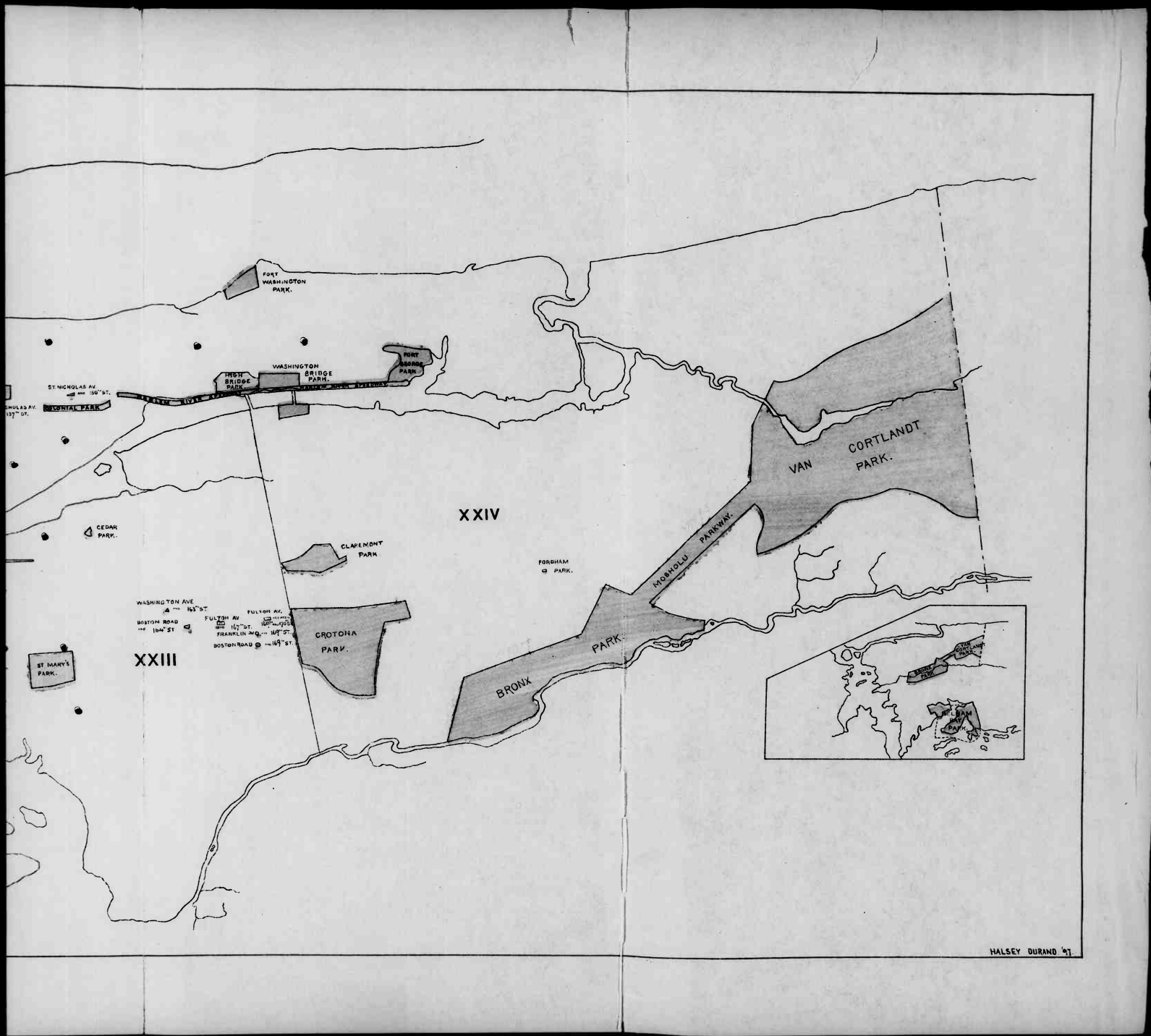
INTENTIONAL SECOND EXPOSURE



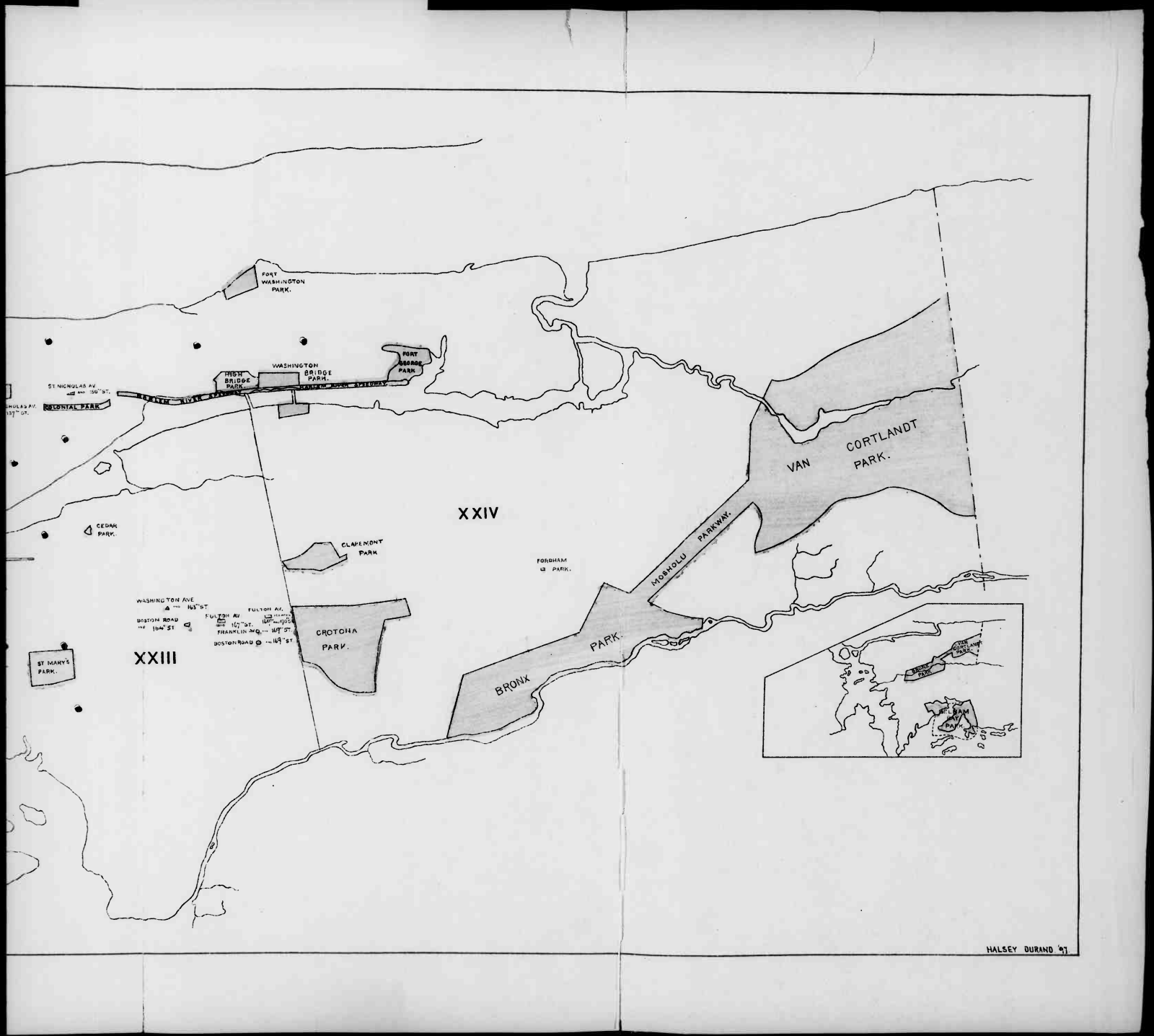

RECREATION BUILDING.
RIVERSIDE PARK EXTENSION.
RIVERSIDE PARK.
FORT WASHINGTON PARK.
XXII
MANHATTAN PARK.
MORNINGSIDE PARK.
MANHATTAN AV. and 116TH ST.
ST. NICHOLAS AV. and 125TH ST.
ST. NICHOLAS PARK.
ST. NICHOLAS AV. and 137TH ST.
ST. NICHOLAS AV. and 150TH ST.
HIGH BRIDGE PARK.
WASHINGTON BRIDGE PARK.
CENTRAL PARK.
XII
MT. MORRIS PARK.
AVENUE
BRYANT PARK.
PARK AVE. PARKS.
XIX
CEDAR PARK.
CLAREMONT PARK
FIRST AV. and 119TH STS.
EAST RIVER PARK.
EAST RIVER PARK EXTENSION.
RECREATION BUILDING.
WASHINGTON AVE and 163RD ST.
BOSTON ROAD and 164TH ST.
FULTON AV. and 167TH ST.
FRANKLIN AV. and 169TH ST.
BOSTON ROAD and 169TH ST.
ST. MARY'S PARK.
XXIII
CROTONA PARK.

INTENTIONAL SECOND EXPOSURE




FORT WASHINGTON PARK.
WASHINGTON BRIDGE PARK.
HIGH BRIDGE PARK
FORT GEORGE PARK
ST NICHOLAS AV
MORTIAL PARK
CEDAR PARK.
CLAREMONT PARK
XXIV
FORDHAM PARK.
MOSHOLU PARKWAY.
VAN CORTLANDT PARK.
WASHINGTON AVE
FULTON AV
BOSTON ROAD
FRANKLIN AV
CROTONA PARK.
ST MARY'S PARK.
XXIII
BRONX PARK.
HALSEY DURAND '97

INTENTIONAL SECOND EXPOSURE



NEW YORK, October 18, 1897.

HON. ABRAM S. HEWITT,

Chairman of the Advisory Committee on Small Parks:

SIR—The Committee on Sites herewith submits its report. Accompanying it is a map showing location of all existing parks and public breathing spaces, and of such as have been laid out and acquired, or are now being acquired, under the Small Parks Law and special enactments; also recreation piers built and projected by the Dock Board; and further, showing the neighborhood where varying degrees of turbulence among the young are attributed by the police to their lack of opportunity for healthful play, the street with all its resultant evils being their only resort. Finally, the location of the half-hundred new schools planned by the Board of Education, some of them now in course of erection, is recorded on the map. The coincidence that these schools are most numerous where the police find it hardest to manage the young contains a suggestion which to your Committee seems most pregnant. Indeed, the Committee are convinced that those schools with their coming playgrounds hold the key to the more urgent part of the question that is submitted to your Board for advice.

Two points of view presented themselves to the Committee at the outset: That of the physical and that of the moral health of the people. As to the former, the mortality reports, adult and infant, and the statistics of population were considered. The neighborhoods with the densest crowds and the highest death-rate were ascertained. If the Fourteenth Ward, for instance, showed a death-rate that came perilously near doubling the average mortality of the city, evidently here was a danger to be met, and abundant experience has shown that a most effective way of meeting it is to make breathing spaces among crowded tenements. From the point of view of the moral health of the population, the police reports became of the first importance to your Committee; next the trend of the population and its density as regards the children especially. It happens that a low death-rate is not infrequently associated with the greatest crowds and the greatest danger to the young. It sometimes became clear from an examination of the statistics of the population, also, that certain neighborhoods, as yet not over crowded, are tending fast toward the bad traditions of the past, and in such it is the part of wisdom to head off the mischief while there is yet time. Here, again,

the remedy is the same. Room for all to breathe and for the young to play is the best guarantee for the day to come, as it is the cure for much of the evil of the present.

The study of these conditions brought constantly to mind the terse English saying, which expresses the concrete experience of forty years of battling with the slum abroad, that "crime in our large cities is to the greatest extent simply a question of athletics." With a common accord the precinct captains attribute the existence of juvenile rowdyism and turbulence to the lack of a better playground than the street. "The juvenile population," reports the captain of the Thirteenth Precinct, "has of late been growing worse. The reasons are plain—the continually increasing population and want of proper playgrounds. The children use the middle of the street as their playground. A great many accidents are caused by their doing so." The captain of the Eighteenth Precinct says: "Children play in the street and break lamps and windows because they have no other provision made for them;" and so wherever the police have trouble with the young. "There are so many boys in the precinct and no place for them to play," says the captain of the Twenty-seventh Precinct, the station-house of which is in East Eighty-eighth street. "On this account there are more complaints, and arrests are more frequent than before. There used to be many vacant lots where they could play without interference, but now they are built upon and, as more houses come, more people come with them and there are more boys. Many complaints are received daily relative to boys annoying pedestrians, storekeepers and tenants by their continually playing baseball in some part of most every street. The damage is not slight and arrests are frequent."

Where small parks have been already made the verdict is equally unanimous that they have changed the character of the neighborhood for the better. The captain of the Twelfth Precinct reports: "The Hook Gang is gone. It has disappeared since the establishment of the Corlears Hook Park." The Sixth Precinct has this to say of the Mulberry Bend: "The establishment of Mulberry Bend Park is one of the greatest blessings that could be bestowed on the people of this precinct, as it eradicated one of the worst blocks in the city, which was the home of a horde of the most depraved and debased classes, male and female, of all nationalities. Since the eradication of this block, the whole neighborhood has taken a change and decidedly for the better;" and so on through the whole register.

These reports made it evident that it was not a question of moving an unruly population, but of changing its environment. The troublesome boys had not moved away. They had found something better to do than smashing lamps and windows and getting themselves arrested. They had a place now to romp in. That was all they wanted. Their gangs and their raids on

inoffensive neighbors were a protest against the conditions that denied them the chance. In healthy play youthful energies find a safe outlet. Block the outlet and another will be found, but then the play is apt not to be healthy. That, in brief, is the lesson by which other communities have long since profited. In English and Scotch cities the playground has taken its place as a legitimate and important factor in the education of the young to responsible citizenship. Boston, Philadelphia and other American cities have followed their example. New York has as yet not a single municipal playground, and not yet a school playground worthy of the name. However, a law of recent enactment forbids the erection of any new school-house without an out-door playground for the children's use.

In the minds of your Committee this view of the matter took first rank. Following the precedent set by your body when at one of its first sessions you asked the Park Department to provide a playground in every park that had none, the Committee cast about for means of providing children with wholesome amusement where their crowds were densest and the danger of the street greatest. The Rivington street block, where a public playground is to be opened pursuant to your request, is such a spot. Two obstacles presented themselves. One is in the law, which makes no mention of playgrounds as such. It provides for small parks only. Playgrounds are mentioned in connection with the two East Side parks now being laid out under the law of 1895, but they were an afterthought. There is nothing about them in the law of 1887, under which your Committee exists, and the million dollars a year which it appropriates for small parks may not legally be used to lay out playgrounds. However, the present state of the public mind on the subject warrants the assumption that the law could be readily amended to include playgrounds. This should in any event be done. No good can come of an attempt to stretch the meaning of the law by mixing parks and playgrounds, or by passing one off for the other. They are essentially different and serve a different purpose, even if to the same end. The children must be allowed to possess their playgrounds in peace, free from interference of their elders. It must be their very own, under proper supervision, of course, to be of the best use. This obstacle is easily enough surmounted. The other, the great cost of providing sufficient playgrounds for the hundreds of thousands who now have none, is more serious. It would be prohibitive but for the way out suggested by the schools.

The law of April 17, 1895, reads as follows: "Hereafter no school-house shall be constructed in the City of New York without an open air playground attached to, or used in connection with the same." At the approach of the last summer vacation fifty-six new public schools were planned; the number has been increased, and is constantly being added to. This means, then, that fifty-six school playgrounds are coming within two or three years,

and coming, as the map shows, where they are most needed. Their size has not been fixed. There is nothing in the law to determine it. In England a minimum of thirty square feet for each child has been settled upon, but our schools are often so large that such a standard would lay the Board of Education open to the charge of apparent extravagance. In fact, the great cost of land in some localities would of itself put it out of the question, unless the playgrounds were arranged on the roof, as in some of the downtown schools that are now being built. It seems as if the proposition that these school playgrounds (whether on the ground or on the roof), be made the general neighborhood recreation grounds after school hours, might be made the means at once of overcoming the difficulty of the Board of Education by justifying the purchase of sites of sufficient size, and of meeting the need which your Committee has been appointed to advise upon.

The longer one looks at this proposition the more sensible it seems. The schools of London long since, in large measure, opened their playgrounds to the public in the summer vacation under the same pressure that now weighs upon New York. There seems to be no good reason why school playgrounds should stand unused all the long afternoons and evenings, every Saturday and Sunday, and for two whole months during the hot season, when they are most needed; or why the city should be put to the expense of laying out another set of playgrounds with these available. There is even something to be gained that is not by any means mere sentiment, in the binding of the child to his school by identifying it with his play; something to be gained that will shortly appear in the lessened expense of caring for truants. When the boys find that their play and their schools go together, they will not want to play hookey nearly so much as they did. From securing the playground for the pupils out of school hours, there is only a step, and not a very long one, to making it the general neighborhood playground. Every roof playground may with slight expense in the planning be made into a roof garden. The question of supervision need cause no trouble. It may be safely predicted that the police will be glad to attend to that as their share of it. In the past they have sometimes been compelled to establish roof patrols in defense against the roughs whom the street trained to rebellion against law and order. This kind of roof duty would be a relief sure to be gladly welcomed.

Believing that the co-operation of the Board of Education will furnish a practical solution of the playground question, the Secretary addressed, on July 14, to the President of the Board the letter of which a copy is annexed. It was read at the meeting of the Board on that date and ordered printed in full in the minutes, and the matter was referred to the Committee on Instruction. No answer has yet been received, but assurance has been given by individual members of the Board of Education that they favor the plan and

the Committee feels certain that objections that may arise can be satisfactorily disposed of. Convinced that school and playground should go together, it has been at pains, where older schools exist in crowded localities (without open spaces) to pick out sites near or adjoining these for such public playgrounds as seem to be needed, hoping thus to make a start toward providing also the existing schools with this most efficient adjunct to child-training. The Committee presents below a summary of its inquiries by wards, with the reasons that have led to its conclusions in each case. The First, Second and Third Wards are omitted for obvious reasons. They are all comprised within the downtown business districts where there is no need of more park space than already exists or where, at all events, it is unattainable. The statistics of population are from the police census of 1895, unless otherwise stated. The mortality statistics are those of the Health Department:

FOURTH WARD.

Acreage	83.3	
Population	18,405	(falling off.)
Density of population per acre	220.9	
Number of children under 15 years	5,233	
Density per acre of child population under 15 years	63	
Death-rate in 1896	36.31	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	123.5	

Of all the wards that are considered in this report, the Fourth has the highest death-rate and, next to the Fourteenth, the highest infant death-rate. It would otherwise not be in this list, as its population will never increase, but will probably decrease steadily before advancing business. Attention is called by the police to the fact that its five thousand and odd children have no place in which to play. There is no park or open space within the limits of the ward. The captain of the Oak Street Squad reports: "There is not now a pier on the river front that is open to the public. Formerly there were three or four. I would suggest that at least one of them be constructed with a second story and opened to the public."

It would probably be cheaper to lay out a playground ashore. The very busy character of the dock front in that locality, together with the crowded condition of South street, by which access must be had to such a recreation pier, would seem to make this advisable. The Board of Health has recently seized and caused to be destroyed the old Gotham Court tenements on Cherry Hill. This property abuts on a condemned school-house in Roosevelt street. The site of Gotham Court could no doubt be bought cheaply, and if the school-house were then torn down and the lots upon

which it stands added, a playground something over one hundred feet wide on Cherry street, extending back two hundred feet with an L on Roosevelt street, would be obtained at a much less cost than by building a play-pier. Better still, the school-house might be allowed to stand without essential detriment to the playground. If the Committee is rightly informed, it has been condemned because the light in the classrooms was bad. This fault has been corrected by the removal of the old tenements. The Board of Education will gain a school-house by this arrangement and the ward a playground.

Whichever course be pursued, this playground, together with that now being provided on the roof of the Catharine street school-house, should make needed provision for the children of the Fourth Ward.

FIFTH WARD.

Acreage	160.2	
Population	10,603	(falling off.)
Density of population per acre	66.2	
Number of children under 15 years	2,832	
Density per acre of child population under 15 years	18.	
Death-rate in 1896	28.70	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	95.4	

The Fifth Ward has two triangular parks, at the foot of Canal street and in Duane street, inconsiderable in extent, but sufficient for their purpose in that locality. The Canal street triangle appears to be in need of better supervision, as the police captain reports that "many worthless bums who go there crowd out the decent people," while the Duane street triangle, where there is a watchman, has no such grievance. As the map shows, one of the new school houses planned by the Board of Education to take the place of an older one is to be erected almost in the middle of the ward. Its playground, whether on the roof or on the ground (if made of proper size), should provide sufficiently for the children of the ward.

SIXTH WARD.

Acreage	101.1	
Population	22,897	(stationary or nearly so.)
Density of population per acre	226.5	
Number of children under 15 years	6,756	
Density of child population under 15 years, per acre	57	
Death-rate in 1896	26.87	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	82.	

The City Hall Park, of more than eight acres, and the Mulberry Bend Park, which, with the adjoining Paradise Park Square, has about three acres, are within the limits of the Sixth Ward. Since the completion of the Mulberry Bend Park it has all the air space it needs. The police testimony is emphatic that the Mulberry Bend Park has changed the whole neighborhood for the better. It is desirable to have a playground at the park for the exclusive use of the children, especially since the large school in Bayard street that overlooks it has none.

Your Committee having already by formal resolution requested the authorities to provide playground spaces in every park, the Committee on Sites desires simply to emphasize this need.

Seventh Ward.

Acreage	206	
Population	74,227	(increasing).
Density of population per acre	360.7	
Number of Children under 15 years	25,774	
Density per acre of child population under 15 years	125	
Death-rate in 1896	20.39	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	63.	

The fact that the death-rate of the Seventh Ward (in spite of its crowding) falls below the general average for the city, is attributable to its hardy and temperate, although needy Jewish population. The same experience is met with in the Tenth, Eleventh, Twelfth and Thirteenth Wards, where the crowding and want are great and the population predominantly Jewish. This is one of the instances in which the death-rate fails as a guide for our purpose and the point of view of the children comes uppermost.

There has been only too much evidence that the conditions in these crowded wards were a source of corruption to the young. Practically two precincts are embraced within the Seventh Ward. The contrast in the reports of their respective commanders is extremely suggestive. The captain of the Seventh Precinct, which embraces the west end of the ward, complains of a tendency to juvenile turbulence in the district between Catharine and Pike streets, and says that "more letters complaining of mischievous boys are received than before." He gives as the reasons for this the tenement crowds and the lack of playgrounds which sends the children to the street. On the other hand, the captain of the Twelfth Precinct, at the east end of the ward, states that his precinct is getting better and that the Hook Gang is gone. "It has disappeared since the establishment of the Corlears Hook Park."

A glance at the map will show that one of the new small parks now being laid out, viz., the Division Street Park, is located at the northern line of the ward and partly within it. In the middle of the turbulent district at the west end of the ward one of the new schools with a playground is to be built, and just over the line of the Fourth Ward is the Catharine street school previously spoken of. Another new school is to be erected in the most crowded section of the east end of the ward. These playgrounds, together with Corlears Hook Park of over eight acres, the half-acre park at Rutgers Slip, and the new Division Street Park of nearly two acres, should be sufficient for the Seventh Ward. The Committee wishes only to point out the desirability of having a playground (in connection with Corlears Hook Park) for the use of the children especially.

EIGHTH WARD.

Acreage	177.1	
Population	31,374	(stationary).
Density of population per acre	177.2	
Number of children under 15 years	8,853	
Density per acre of child population under 15 years	50	
Death-rate in 1896	27.70	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	90.	

While there is no park within the limits of the Eighth Ward, the proposed St. John's Park is just over the line of the Ninth Ward. This park will be nearly two acres in extent. There ought to be a playground for the children and the opportunity is furnished by the coming erection of a new school-house near the centre of the ward (see map.) Now is the time to obtain a site large enough to serve as a real neighborhood playground. If that is done there will be no need of locating any other open space here.

NINTH WARD.

Acreage	305	
Population	60,987	(stationary).
Density of population per acre	200	
Number of children under 15 years	14,622	
Density per acre of child population under 15 years	48	
Death-rate in 1896	26.26	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	94.	

There seems to be no need of making any special provision for the Ninth Ward. The St. John's Cemetery Park, on the south side of the ward, and the new recreation pier, at Christopher street, will furnish the needed relief in that quarter. At the other end of the ward the boys have in the open Gansevoort market on the river shore a natural playground which is open to them in the hours of the afternoon when it is especially needed. With proper regulations as to sweeping and the admission of wagons and perhaps with a better pavement, this market is capable of being made very available for the purpose, on the line of suggestion made by Colonel Waring in the matter of his proposed "push-cart market." As a matter of fact, it is now used by the boys of the neighborhood, who contest their baseball matches here. Their play is carried on more or less by stealth, however. If it were understood that the market was theirs to use within certain hours which would not interfere with its original purpose, and arrangements were made accordingly, a point would be gained which would tell for good citizenship in the Ninth Ward in the generation to come.

Tenth Ward.

Acreage	109	
Population	70,168	(increasing rapidly.)
Density of population per acre	643.8	
Number of children under 15 years	24,923	
Density per acre of child population under 15 years	229	
Death-rate in 1896	17.94	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	57.3	

The Tenth Ward has not only the most crowded tenement-house population in the city, but there is nothing quite like it anywhere. It is notoriously the worst specimen of city crowding in the world. That at the same time it has a death-rate far below the normal, is reassuring from the point of view of the physical health of its people. The reasons have heretofore been dwelt upon. The other point of view, that of the moral well-being of the children, remains. It is apparent that in such crowds they must need above all else elbow-room, an outlet for their animal spirits, unduly restrained by the tenement. Efforts have been made to that end for years by organized philanthropy. The University Settlement and and the College Settlement have pitched their tents in the Tenth Ward. Here the beginning has been made of establishing boys' clubs in the schools. But in the whole ward there is not a green spot or a place where the boy can romp undisturbed. For this reason, the Division Street Park, with its playground, was laid out in one

corner of the ward. Colonel Waring's beneficent plan of a "push-cart market," a whole asphalted block that shall be for business in the morning, for the children in the afternoon, looks to the seizure of a site in the neighborhood of Hester and Ludlow streets, and would be of inestimable advantage. Two new schools are going up in this ward and one right over the line in the Thirteenth. With the three school playgrounds open to the children, a small park, and the push-cart market with a playground combination, which seems certain of attainment because of the great need of it for business purposes, a fair beginning will have been made of giving relief to the Tenth Ward. The Committee earnestly advises that the necessity of carrying out Colonel Waring's scheme be urged upon the city authorities, and renews with a special emphasis the recommendation that the school playgrounds be made the recreation grounds of the neighboring public.

ELEVENTH WARD.

Acreage	213	
Population	86,722	(increasing.)
Density of population per acre	407.1	
Number of children under 15 years	31,935	
Density per acre of child population under 15 years	149	
Death-rate in 1896	19.29	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	55.4	

THIRTEENTH WARD.

Acreage	109	
Population	55,802	(increasing.)
Density of population per acre	539.5	
Number of children under 15 years	22,830	
Density per acre of child population under 15 years	209	
Death-rate in 1896	17.79	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	61.	

The Eleventh and Thirteenth Wards may with advantage be considered together, leaving out for the present the Twelfth Ward, which is in Harlem. The two wards cover the territory, roughly speaking, from Grand street to Fourteenth street on the north, between the East river and Avenue B. Upon the western border of the district is Tompkins Square, on its southeastern Corlears Hook Park, at the southwestern corner Division Street Park, and fairly in the middle, the new Willett Park, which will cover an area of more than three and a half acres—two full blocks. There is a recrea-

tion pier in operation at the foot of Third street, which is a great success. In addition, three new school-houses are planned for the Eleventh Ward and one for the Thirteenth. They will all be on the line of the districts marked by the police as troublesome.

The population of both wards is of the same character and tendencies as that of the Tenth. The police report increasing trouble with the young, and for the same reason as in the other crowded neighborhoods, viz.: the lack of playgrounds other than the street. Many run-over accidents occur in consequence in the narrow and crowded streets. Upon this showing, the Committee, considering the case urgent, went before the Board of Street Opening and Improvement and asked that half a block in Rivington street, between Mangin and Goerck streets, be taken for a playground. The Board assented and instructed the Corporation Counsel to prepare a resolution under which such action could be legally taken. Thus, this recommendation of the Committee has been already acted upon.

FOURTEENTH WARD.[1]

Acreage	108	
Population	31,904	(stationary).
Density of population per acre	295.4	
Number of children under 15 years	10,182	
Density per acre of child population under 15 years	94	
Death-rate in 1896	34.30	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	130.4	

Next to the Fourth Ward the Fourteenth has the highest death-rate in this list. It is full of the old style bad tenements, inhabited largely by a low-class population, increasingly Italian, which crowds the old barracks with baneful results. While the crowding upon the land is not half as great as in the Tenth Ward, for instance, the average number of persons to a house is nearly the same, being 46.3 in the Tenth Ward and 40.2 in the Fourteenth. Only one other ward exceeds the Fourteenth in this respect, viz., the Thirteenth, with 42.6 persons to each house.

Taking in this instance the sanitary point of view, the Committee is strongly of the opinion that an open space ought to be provided here without delay. There is no park space within the ward. The nearest is the Mulberry Bend, a long way below. The availability of the Centre Market site was considered. This is city property, but it was represented to us that the site would be needed before long for a municipal building. The Committee decided to recommend the taking of half a block between Mulberry and Mott

streets and Spring and Broome streets, as both central and containing no valuable building, but some it will be well to get rid of.

The Committee recommends that this half block be turned into a neighborhood playground. It has the advantage of being opposite the Mulberry Street Police Station, and therefore under ready police surveillance.

Fifteenth Ward.

Acreage	225	
Population	26,216	(stationary).
Density of population per acre	116.5	
Number of children under 15 years	4,372	
Density per acre of child population under 15 years	19	
Death-rate in 1896	21.67	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	99.1	

The Fifteenth Ward, which has Washington Square as its core, need not be considered here. It has no need of either park or playground. The population is not exclusively a tenement-house population, and the captain of the precinct in answer to the inquiry: "What are the local causes of juvenile rowdyism in the district?" which was sent to all the commanding officers, reports that "there are no local causes in this precinct."

Sixteenth Ward.

Acreage	318	
Population	57,430	(slowly increasing).
Density of population per acre	180.6	
Number of children under 15 years	11,751	
Density per acre of child population under 15 years	37	
Death-rate in 1896	22.55	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	80.3	

The Sixteenth Ward has not within it any park space, though it embraces half the width of the island between Fourteenth and Twenty-sixth streets, from Sixth avenue west, in strong contrast to the Eighteenth Ward on the east which, with nearly the same area within the same street limits, has in Union Square, Madison Square and Stuyvesant Square parks, not counting Gramercy Park, which is private property, nearly fourteen acres for the public use. There is to be a small park at Twenty-eighth street and Ninth avenue, in the Twentieth Ward, which will no doubt become the re-

sort of many persons from the Sixteenth, but it is not enough. Both these wards have been notorious in past years on account of the disorder that thrived in the tenement districts west of Tenth avenue. "Hell's Kitchen," in West Thirty-ninth street, and Poverty Gap, in West Twenty-eighth street, are of traditional notoriety in this respect. Their gangs have in a measure been suppressed and the police now deny their existence. However, occasional outbursts of a murderous character proclaim the need of other civilizing influences. The captain of the Twentieth Precinct reports that there are "not enough playgrounds or parks to give the children natural recreation. In consequence, street ball playing becomes a nuisance, causing many complaints and arrests." Private charity, recognizing the emergency, has in the past established playgrounds in this district and proved the police assertion entirely true. Disorder ceased and murderous gangs disappeared wherever these playgrounds were opened. It is only necessary to bring to mind the case of Poverty Gap, where the "Alley Gang" had murdered the one good boy in the block for the crime of working every day to support his aged father and mother. Policemen patrolled the neighborhood at night in danger of their lives. When the old tenements were torn down and on their site a playground was opened, the neighborhood changed as if by magic. Disorder ceased, and the name and fame of Poverty Gap became but a bad memory.

The Committee recommend that a permanent playground of half a block or thereabouts be established on the line of Ninth avenue, and suggest the east end of the block between Fifteenth and Sixteenth streets as eligible for this purpose.

SEVENTEENTH WARD.

Acreage	266	
Population	114,727	(increasing.)
Density of population per acre	431.4	
Number of children under 15 years	31,774	
Density per acre of child population under 15 years	119	
Death-rate in 1896	20.85	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	70.9	

This is largely a German ward with a much better class of tenants than the Fourteenth Ward, for instance, hence the low death-rate, in spite of its crowds. The point of view of the children is here again to be taken. On the east side of the ward is Tompkins Square, embracing ten and a half acres. It has been of inestimable benefit to the neighborhood and has changed its character entirely. The captain of the precinct to-day reports of the residents about the park that they are "a quiet and orderly people." Those

of us who remember the day when Tompkins Square, as yet merely a sand lot where every passing wind raised clouds of choking dust and where half the turbulent elements of the East side had their meeting place, was the dreaded storm centre of the "Bread and Blood" riots, appreciate the change wrought by the beneficent agency of the park.

Tompkins Square is enough for the north end of the ward, but an open space for the children's use especially is badly needed upon its west and south sides. Two sites seem especially available for this purpose. There is in Houston street, at the corner of Essex, a large school (Grammar School No. 13) which, when the addition now being built is completed, will contain nearly 3,000 pupils by day and 1,000 by night. In the same block, on Stanton street, is the Pro-Cathedral with its schools and kindergartens that reach probably as many as 1,000 children, which are drawn largely, as are those of the public school, from among the neediest residents of the adjoining Tenth Ward. The school has no playground. The Board of School Inspectors of the Fifth District have asked the Board of Education to acquire adjoining property for one as a prime necessity of the school, coupling their request with the suggestion that the Board "use its influence with the authorities to have such playground made public for the benefit of the children of the neighborhood." The Committee would recommend that all of the block except the school and the Pro-Cathedral be taken for a public playground or a small park under the Act of 1887. The property consists largely of tenements which can well be dispensed with. There are no valuable buildings. The site is exactly in the right spot for a playground for all that neighborhood.

The New York Marble Cemetery plot in the block between the Bowery and Second avenue and Second and Third streets offers an opportunity for the acquisition of a needed playground for that location. The cemetery is now but little used and perhaps could be obtained of its owners at small expense, and transformed into a playground. Burial there has always been in vault and the dead could be easily removed. The cemetery is a great garden surrounded by a high stone wall, and would seem to be well fitted for the establishment of a playground with gymnastic apparatus.

The only school playground which New York has had heretofore, is an old cemetery on the other side of Second avenue, near by, which was acquired under similar circumstances a few years ago, after it had ceased to be of use as a burial ground.

EIGHTEENTH WARD.

Acreage	500	
Population	67,469	(stationary.)
Density of population per acre	134.9	

Number of children under 15 years	14,716
Density per acre of child population under 15 years.	29
Death-rate in 1896	22.09
General death-rate of city, 1896	21.52
Death-rate of children under 5 years	95.5

The Eighteenth Ward has in Union, Madison and Stuyvesant Squares a total of more than thirteen acres of park space. For needed playground space provision is made in the new recreation pier at the foot of East Twenty-fourth street, and in addition one of the new schools with a playground is coming (see map).

NINETEENTH WARD.

Acreage	1,851	
Population	267,076	(increasing rapidly).
Density of population per acre	144.3	
Number of children under 15 years	72,236	
Density per acre of child population under 15 years	39	
Death-rate in 1896	17.77	
General death-rate in city, 1896	21.52	
Death-rate of children under 5 years	85.9	

The Nineteenth Ward has the lowest death-rate in the city. Its tenements were built chiefly since the era of sanitary reform set in, and a better class of tenants live in them than in the old barracks downtown. Great numbers of children dwell in the districts along the river. The police report trouble all along the line as the natural result of their having no other place to play in than the street. In the neighborhood from Fifty-ninth street to Sixty-fifth street, east of Avenue A, and again from Seventieth street to Seventy-ninth street, where the tenements are thick and children swarm in great numbers, there is constant trouble, and arrests are frequent for ball playing and breaking windows. The irritation of shopkeepers is great, and of parents and children corresponding. Periodically, trouble with gangs break out in this district. The police point out that there used to be a chance for the children in the many vacant lots, but that as these have gone the crowds have kept on increasing, thus adding to the demand for playground space in proportion as the supply was curtailed.

Two parks border on the Nineteenth Ward; Central Park and the East River Park, but in Central Park, the police say, the children must have a permit to play games, and as yet there is no playground provided at the East River Park. President McMillan, a member of your Committee, has promised that a playground shall be laid out in the East River Park. The

Board of Street Opening and Improvement has assented to the establishment of a public playground at the foot of East Seventy-sixth street. The Committee would urge the early redemption of these promises and that better provision be made in Central Park for the children's play than now exists. Reference to the map will show that three new schools are to be built in the northern half of the ward.

The Committee recommends that a small shore park be laid out on the strip of land on the river shore under the bluff from Forty-ninth to Fifty-second street, which is now the resort of the mothers and babies of the neighborhood in warm weather. The strip of land is perhaps seventy-five feet wide, but filling-in to the bulkhead line will nearly double its width. It is at present used for storage of old junk and is of little service to any one. It is, however, capable of being made into a charming little park at small expense. There is a public swimming bath at this point which attracts boys in large numbers.

Many strong arguments have been advanced in favor of taking the old Jones' Wood property on the river shore, between Sixty-fourth and Seventieth streets, for a park space. The Committee has considered the arguments carefully, and while fully agreeing that it is desirable to preserve what remains of the woods at that spot for a shore park, still thinks that the small parks appropriation can be expended to better purpose in locating playgrounds for the children at suitable places in the district. It would suggest the placing of one at or near Grammar School No. 82, at First avenue and Seventieth street.

The Committee has only to add that it would seem possible to apply the green plots over the Forty-second street tunnel to better advantage than at present, by opening them and putting seats in them for the public.

Twenty-first Ward.

Acreage	380	
Population	72,144	(stationary).
Density of population per acre	189.9	
Number of children under 15 years	14,535	
Density per acre of child population under 15 years	38	
Death-rate in 1896	21.59	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	99.8	

The Twenty-first Ward is taken out of its order because it adjoins the Nineteenth, while the Twentieth and Twenty-second lie together on the west side. It has no park space except for the little green spaces over the Park avenue tunnel which are pretty in the landscape but not for use. The ward has in its tenements near the river a rough and at times turbulent population.

A few years ago its gangs were among the worst in the city. None of the new schools laid down on the map come within the ward. The Committee recommends the opening of a public playground and suggests as the site the west end of the block between Thirty-fifth and Thirty-sixth streets, First and Second avenues. By the removal of a group of old and rather worthless tenements an open space of something over an acre in extent could be obtained at a justifiable cost. Opposite this block is the great parochial school of St. Gabriel, where half the Roman Catholic children of the ward go. Round the corner, in Thirty-seventh street, is a large public school, and three blocks away, in Thirty-second street, is another. This suggestion is subject to review after conference with the school authorities, like all similar suggestions made here.

Twentieth Ward.

Acreage	418.7	
Population	94,969	(stationary.)
Density of population per acre	226.8	
Number of children under 15 years	24,688	
Density of child population per acre under 15 years	59	
Death-rate in 1896	25.72	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	86.6	

Mention has been made of the Twentieth Ward under the head of the Sixteenth. Like that it has had no park space allowed it in the past. The St. John's Cemetery Park is now under way in the Ninth Ward and a new small park at Ninth avenue and Twenty-eighth street. This latter will be within the Twentieth Ward, but additional space is needed. The Committee recommends that a large public playground be established on the line of Ninth avenue in the neighborhood of Fortieth street. There is here a natural push-cart market, which suggests, as in Hester street, the need of facilities such as Colonel Waring proposes to furnish with his combination push-cart market and playground. It seems to your Committee a most happy solution of the problem of the Twentieth Ward to thus kill two birds with one stone. The peddler with his cart is as necessary to the housekeeper in a tenement as is a playground for her child. Both these wants can be met by adopting Colonel Waring's plan with actual profit instead of expense to the city.

The Committee would further suggest the establishment of a playground of generous size at or near the school at No. 515 West Thirty-seventh street. The neighborhood is especially in need of this provision for its children.

TWENTY-SECOND WARD.

Acreage	1,681	
Population	194,893	(very rapidly increasing.)
Density of population per acre	115.9	
Number of children under 15 years	49,347	
Density per acre of child population under 15 years	29	
Death-rate in 1896	21.92	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	83.3	

From present indications the trend of the population northward will within a few years crowd this ward to repletion. Already there are blocks within it, as shown by the recent sociological canvass, that come close to the ominous records of the past. Five blocks of tenements between Forty-eighth and Sixty-second streets west of Ninth avenue contain already over 3,000 persons each. As yet these tenements are comparatively new and the crowding in them is not as harmful in consequence as it will be later on. But they are growing older while the population is being many times increased. There are four times and over as many people in the Twenty-second Ward to-day as there were thirty years ago.

The police records show many sore spots where there is trouble with the boys who have no place to play other than the street. The sociological canvass found in the Fifteenth Assembly District, which embraces, roughly speaking, the district between Forty-third and Fifty-third streets west of Eighth avenue, one saloon to every four hundred persons and a church to every 4,500. The frontage of churches, schools and clubs measured 756 feet, while the aggregated saloon fronts stretched themselves over a whole mile. So that, says the report, "the saloon social ideals are minting themselves upon the people's minds at the rate of seven saloon thoughts to one educational thought."

In such a neighborhood, with a population of 200,000 souls, with not one library and but a single kindergarten, a small park must become an educational factor of the first class. The Committee recommends the acquisition of two blocks of land on the North river shore between Fifty-second and Fifty-fourth streets, now vacant or covered with worthless shanties, for such purpose. The land is high and peculiarly adapted for a park. Forty pastors and managers of all the charitable and philanthropic concerns in the vicinity join in asking for the selection of this site, than which there is not another so fit on the whole west side. It is believed, furthermore, that this land can be at present acquired cheaply. While it may be good economy to tear out a whole block of unwholesome tenements at four times

the cost of vacant land, yet it is to be remembered also, where such a waterside park can be got, that in taking it one gets, as Mr. Olmstead once said, " for every one acre of land a thousand acres of space and fresh air."

A recreation pier is to be built at the foot of Fiftieth street, and this with the small park now advised ought to provide for those residents of the ward who are too far from Central Park to reach it easily a reasonable allotment of space.

TWELFTH WARD.

Acreage	5,920	
Population	364,412	(rapidly increasing).
Density of population per acre	61.6	
Number of children under 15 years	104,059	
Density of child population under 15 years.	17.5	
Death-rate in 1896	20.24	
General death-rate of city, 1896	21.52	
Death-rate of children under 5 years	79.4	

The Twelfth Ward embraces the whole of Manhattan Island above Eighty-sixth street, and has more park space, present and to come, than all the other island wards together. The section along the East river is, however, already crowded with a dense tenement population. In what has come to be known as " Little Italy," a small park is now being laid out under the Law of 1887. This, together with a recreation pier established at One Hundred and Twelfth street, will give needed relief to that section at present.

For the claims of the future the Committee refers to the map accompanying this report. As will be seen, a full score of new schools with playgrounds are to be built in the Twelfth Ward. They are so placed in response to the demand of increasing population that, if the suggestion of the Committee that their playgrounds be thrown open for public use be adopted, they will put that ward ahead of all the rest of the city for all time to come, in this respect. There will not be need of another small park in the Twelfth Ward.

The Committee rests its hopes and its case not only for the Twelfth Ward, but in the whole contention for school playgrounds, upon the simple showing of the map as here exhibited.

A part of the Twenty-third Ward above the Harlem falls within the district " below One Hundred and Fifty-fifth street," in which the Law of 1887 gives the Board of Street Opening and Improvement authority to lay out such and so many small parks as it shall deem necessary. The One Hundred and

Fifty-fifth street line cuts the ward in halves. But your Committee deems it inexpedient at present to discuss small parks for this district. St. Mary's Park and Cedar Park, the former with an area of twenty-eight acres, and the latter with seventeen and a half acres, are within this district, which is as yet but little built up. The density of the population in the Twenty-third Ward is only 19.1 persons to the acre, and it will be time enough later on to discuss for this part of New York the relief which small parks are intended to furnish to a pent up population.

The Committee wishes to emphasize a point which it had in view in the selection of the river shore strip under the bluff between Forty-ninth and Fifty-second streets as a site for a small park. It applies with peculiar force to playgrounds. It is not necessary always to look for a large plot for this purpose, particularly as children's playgrounds multiply about the city as they are sure to do now that their value is beginning to be appreciated. Any unused corner, triangle, or vacant lot kept out of the market by litigation, or otherwise, may serve this purpose well. Gymnastic apparatus, swings, sand heaps, etc., may be disposed of within the limits of a single lot, if nothing better is to be found. This has been done with success in Edinburgh and elsewhere abroad. Where the lot cannot be bought it may be leased. In fact, your Committee has already considered this as a proposition. There are such corners and lots to be found in various parts of the city, the property sometimes of the corporation, and these could be used to advantage and without expense.

In this, as in all large cities, there are quite too many human habitations and worthless buildings in isolated places which are little else than breeding spots of sin, disorder and disease. The yearly expense to the city of these places is much at all times, and often enormous, especially if their criminal history be considered. It seems to your Committee that the policy of their securement by the city for playground purposes is both economic and wise. Thus the local disease will be cured at a minimum expense, and the moral and physical status of coming manhood will be greatly advanced.

This pertains, perhaps, to a later day in this discussion. The Committee desires here merely to point out the fact. In the same way the question what a playground should properly be, and whether under police supervision as in England, or in charge of a gymnastic teacher—turnlehrer—as sometimes in Germany, may be left to a future not now far distant.

It remains to sum up the recommendations made in this report, and to place them in the order in which, in the judgment of your Committee, they ought to be carried out. Such a summary follows:

Your Committee recommend:

1. That half a block be taken for a public playground in Rivington street, between Goerck and Mangin streets, adjoining the public bath. To

this the Board of Street Opening and Improvement has already given its assent.

2. That the block between Houston and Stanton streets, Essex and Norfolk streets, in which stand Grammar School No. 13 and the pro-Cathedral Mission, be taken for a public park and playground, leaving the school and mission where they are.

3. That a public playground be established on Cherry Hill, on the site of Gotham Court, now demolished.

4. That a shore park be laid out between East Forty-ninth and East Fifty-second streets, on the strip of land on the water's edge, now used for the storage of old iron.

5. That a small park be laid out on the two blocks of high land, at present mostly vacant, west of Eleventh avenue, between Fifty-second and Fifty-fourth streets.

6. That half of the block bounded by Mulberry and Mott streets, Spring and Broome streets, be taken for a public playground for the Fourteenth Ward.

7. That a part of a block on the line of Ninth avenue, the site suggested being the eastern end of the block between Fifteenth and Sixteenth streets, be taken for a public playground for the children of the Sixteenth Ward.

8. That a section about 250 by 200 feet at the west end of the block between Thirty-fifth and Thirty-sixth streets, First and Second avenues, be taken for a public playground.

9. That the New York Marble Cemetery, in the block between Second and Third streets, Second avenue and the Bowery, be acquired, with the consent of the cemetery corporation, for a public playground.

10. That Colonel Waring's plan of uniting a playground and push-cart market in a block on the line of Hester street in the Tenth Ward be pressed upon the attention of the authorities as most necessary and desirable, with the request that they advocate it in the next Legislature.

11. That a public playground at least 200 feet square be established at or near Grammar School No. 82, First avenue and Seventieth street.

12. That a public playground at least 200 feet square be established at or near the public school at No. 515 West Thirty-seventh street.

13. That a public playground be established on the line of Ninth avenue near Fortieth street. It is suggested that for the reasons which apply to Hester street, Colonel Waring's push-cart and playground combination plan suits this locality also and could be carried out to advantage.

14. That the playgrounds of the new schools hereafter built, whether on roof or ground, be thrown open to the public out of school hours, and be made the general neighborhood recreation grounds.

The Committee further urge the City authorities to :

Establish without delay the promised public playgrounds at the foot of East Seventy-sixth street.

Have playgrounds made a part of every park which now has none, and to make in Central Park, especially, better arrangements for the children's play.

Take steps for the retransfer of the site on Randall's Island now used by the House of Refuge under a perpetual lease from the city, in order that a public park may be established there.

Turn all unused plots of city ground, wherever found, into children's playgrounds for the neighborhood use.

Represent to the Legislature the necessity of amending the Small Parks Act of 1887 so as to include playgrounds in its provisions, in order that the spirit of the law may be carried out to the full.

The Committee would finally suggest that all playground sites adjoining public schools which are here suggested, be referred to and discussed with the Board of Education before finally settled upon.

A rough estimate, well within the facts, of the cost of carrying out all these recommendations [exclusive of the two push-cart markets, which are expected to be a source of revenue, not of expense ; of the playground at the foot of East Seventy-sixth street, which is already provided for ; of the retransfer of Randall's Island, which is city property, and playgrounds to be attached to schools not yet built], puts the cost of them all at $3,580,000, well within four years' appropriation under the Small Parks Act. Thus, if the programme here laid down is carried out, what now constitutes the City of New York will, in the first year of the new century, have acquired, at a cost that may be fairly called comparatively insignificant a system of playgrounds and small breathing spaces which will put it as far ahead of most of the other large cities in this country as it is to-day behind those of the old world.

Respectfully submitted,

JOSEPH D. BRYANT,
CHARLES GEO. WILSON,
JOHN B. DEVINS,
Committee on Sites.

JACOB A. RIIS,
Secretary.

COPY OF LETTER TO PRESIDENT OF BOARD OF EDUCATION.

OFFICE OF THE SECRETARY OF
THE MAYOR'S ADVISORY COMMITTEE ON SMALL PARKS.
No. 301 MULBERRY STREET,
NEW YORK CITY, July 13, 1897.

Hon. CHARLES BULKLEY HUBBELL,
President Board of Education:

MY DEAR SIR—I am charged by the Mayor's Advisory Committee on Small Parks with drawing your attention to a matter of vital importance in our city's life, with the request that you lay it before the Board over which you preside. I do it the more readily as I am beforehand assured of your interest and sympathy by the many proofs your Board has given of a public spirit and a high appreciation of its great trust, evidence which has gathered to its support the thorough sympathy and support of a grateful community.

The matter concerns the children's play. The Committee on Small Parks was appointed, as you know, by the Mayor to advise upon the proper location of neighborhood parks and breathing spaces, particularly in the congested tenement districts. A study of the conditions prevailing there, of the statistics of population and mortality, and of the police reports concerning juvenile rowdyism together with the local causes for its growth and recurrence in certain neighborhoods, convinced the Committee that the chief need at present is a chance of natural and healthy play for the children who now have only the street for a playground. The police pointed out with absolute unanimity that this was at the bottom of all the early mischief that, from nothing worse than ball tossing and window breaking, grew under the necessary restraint imposed by police and ordinances into lawlessness of graver kind. Accordingly the Committee decided to turn its efforts toward procuring playgrounds for the children where they crowd most. That in this resolution it had the sympathy of the city government and the public, was shown by its experience in the Eleventh and Thirteenth Wards. A mere statement of the conditions prevailing there procured for it at once from the Board of Street Opening the promise of a half block in Rivington street. Proceedings looking to the establishment of the first municipal playground for New York's children will be begun as soon as the necessary legal formalities can be complied with.

Looking about for the best places to put other playgrounds, the Committee soon discovered that the school-house everywhere held the key to its problem. Where it stood the children were. Where these swarmed most densely, there were school-houses within a few blocks of each other and

new and greater ones planned. Reference to a map prepared by the Committee showing the more or less turbulent districts and the school sites acquired or in process of being acquired by your Board shows that seventeen of these new school-houses fall within the districts toward which the police reports point. It was the knowledge that the new school buildings must under the law, which most properly first associated the child's play with his school, have open air playgrounds attached to them, that suggested to the Committee the possibility of making the school playground the public neighborhood playground also, and so of solving at once its own problem and adding its mite to your own successful effort to bind the boy and the school together with a band not easily to be broken.

It is this proposition which the Committee wishes most earnestly to commend to you and your Board. The children must have playgrounds, and so must the schools for the children's sake. Will you not consider the feasibility of so planning these new schools that their playgrounds may be made the public playgrounds for their neighborhoods after school hours? The Committee is aware that there are difficulties in the way of carrying out this plan, but it is convinced that they can be overcome. A roof playground may with very slight expense for providing independent approaches and exits be transformed into a most popular roof garden with all its beneficent possibilities for a crowded tenement-house neighborhood. The roof garden of the Hebrew Institute in East Broadway is a case in point. A surface playground offers apparently no other obstacle to general use than that of supervision. The attitude of the Mayor and the city government toward this question warrants the belief that this will cause no real embarrassment. The chief requirement in the case of the playground is that it shall be large enough.

I need not point out to you that so far from being a matter foreign to the educational interests of your Board and the schools, it bears the closest relationship to them. Not all the schools in the world can make up to the child the virtual loss of his childhood that is involved in denying to him the chance of healthy, undisturbed play. It is not necessary to take the testimony of the police in this. Froebel, the great teacher, laid it down as a cardinal rule of all child-training that "play is the normal occupation of the child through which he begins to perceive moral relations," and that he "learns by doing." It is upon this principle that all the successful kindergarten work of your schools is built. To give the child the playground he needs is but to carry its teachings from the school-room into the street which has owned him heretofore. What kind of moral relations he has perceived in the past in the playground that was set always between two gutters, and what he "learned by doing," where the natural game was playing "getting arrested," I need not here remind you. We have known it to our cost. We

know also now the remedy. The laws which restore to the child his play and his childhood, the very existence of the Committee on whose behalf I address you, bear witness to it. I heartily congratulate you upon the opportunity of applying it. No greater or happier task could fall to any man or body of men.

The Committee is well aware that this is not a matter to be decided in haste. It does not wish you to do so. It submits the matter to you with full faith that you will give it the careful consideration it deserves. It believes that no happier solution of a grave question could be found, no fitter reparation made for a grievous wrong, than to make the future school playground the neighborhood resort for play and recreation. The Committee shall be most glad to confer with you and to give you any and all the aid that is in its power.

I am, sir, most faithfully,

Your very obedient servant,

(Signed) JACOB A. RIIS,
Secretary Committee on Small Parks.

Schedule, Giving Dimensions of Playgrounds in Several New School Buildings.

	LOCATION OF SCHOOL.	INSIDE PLAYGROUND. SQUARE FEET.	OUTSIDE PLAYGROUND. SQUARE FEET.	ROOF PLAYGROUND. SQUARE FEET.
5 A.	88th st., between 2d and 3d aves.	14,068	4,751	.....
5 A.	East 4th st., between Avenues C and B.	5,242	2,374	.....
6 A.	91st st. and 1st ave.	9,257	3,319	.....
7 A.	Henry, Oliver and Catharine sts.	11,229	2,928	8,639
12 A.	East Broadway, Henry, Scammel and Gouverneur sts.	11,014	5,040	8,348
14 A.	Hester st., between Orchard and Ludlow sts.	10,996	6,424	12,206
15 A.	77th st. and Avenue A	15,142	4,916	.....
5 B.	Suffolk and Rivington sts	11,574	3,955	7,665
7 B.	119th and 120th sts., between 2d and 3d aves.	12,560	10,025	.....
11 C.	89th st., between Columbus and Amsterdam aves	11,388	8,430	.....
15 C.	108th and 109th sts., between Amsterdam ave. and Boulevard	13,670	18,650	.....
13 A.	Rivington st., between Forsyth and Eldridge sts	12,565	2,775	10,787

July 28, 1897.

HEALTH DEPARTMENT, CITY OF NEW YORK.

Death-rate by Wards from 1865 *to* 1896, *inclusive.*

WARD.	1865.	1870.	1875.	1880.	UNITED STATES CENSUS, 1890.	POLICE CENSUS, 1895.	1896.	DEATH-RATE OF CHILDREN UNDER 5 YEARS.
1st	70.75	30.63	36.64	30.21	47.12	35.42	37.29	113.5
2d	50.25	34.30	49.40	24.88	59.20	39.50	48.28	153.8
3d	21.09	20.99	26.06	19.26	15.14	20.68	22.14	51.5
4th	45.70	27.62	35.19	33.79	41.38	41.34	36.31	123.5
5th	45.26	27.58	29.84	32.72	31.00	34.37	28.70	95.4
6th	45.81	34.32	35.74	33.87	36.98	28.21	26.87	82.
7th	32.22	24.97	31.59	29.70	31.05	24 45	20.39	63.
8th	38.21	26.21	34.03	33.03	41.22	33.28	27.70	90.
9th	29.82	23.27	27.75	25.20	27.19	27.63	26.26	94.
10th	29.33	24.03	33.37	30.03	23.61	23.09	17.94	57.3
11th	26.72	27.31	31.63	26.53	22.16	22.73	19.29	55.4
12th	46.85	45.61	25.45	24.62	23.80	20.99	20.24	79.4
13th	30.69	27.03	30.69	30.48	25.13	18.67	17.79	61.
14th	35.84	28.76	33.15	33.14	40.86	36.70	34.30	130.4
15th	18.07	35.92	22.91	19.20	28.27	25.25	21.67	99.1
16th	25.28	20.86	24.89	24.66	28.31	23.59	22.55	80.3
17th	27.09	25.92	29.52	25.60	25.81	24.68	20.85	70.9
18th	27.26	23.20	27.29	25.70	26.21	25.75	22.09	95.5
19th	64.82	40.52	25.63	23.26	22.58	20.31	17.77	85.9
20th	31.49	25.38	31.85	28.31	31.27	26.79	25.72	86.6
21st	43.99	36.80	27.00	23.51	26.68	22.94	21.59	99.8
22d	27.85	23.71	32.06	26.32	25.69	22.36	21.92	83.3
23d	.....	.....	29.72	24.84	25.32	21.81	23.28	73.9
24th	. .	.....	28.21	21.22	20.31	15.79	20.93	108.4
Total	34.20	28.84	29.47	26.47	26.46	23.24	21.52	76.4

General death-rate of city—21.52.

HEALTH DEPARTMENT, CITY OF NEW YORK.

Population of Wards by Census from 1865 *to* 1895, *inclusive.*

WARD.	DATE OF FORMATION.	ACREAGE.	1865.	1870.	1875.	1880.	UNITED STATES CENSUS, 1890.	POLICE CENSUS, 1890.	POLICE CENSUS, 1895.
1st.....	1791	173.8	9,852	14,463	14,298	17,939	11,122	12,075	12,508
2d.....	1791	78.0	1,194	1,312	1,012	1,608	929	1,510	1,038
3d.....	1791	104.0	3,367	3,715	2,874	3,582	3,765	3,418	4,014
4th.....	1791	83.3	17,352	23,748	20,828	20,996	17,809	19,337	18,405
5th.....	1791	160.2	18,205	17,150	15,951	15,845	12,385	12,949	10,603
6th.....	1791	101.1	19,754	21,153	19,861	20,196	23,119	23,058	22,897
7th.....	1791	206.0	36,962	44,818	45,636	50,066	57,366	62,139	74,227
8th.....	1803	177.1	30,098	34,913	32,465	35,879	31,220	41,890	31,374
9th.....	1803	305.0	38,504	47,609	49,403	54,596	54,425	60,243	60,987
10th.....	1808	109.0	31,537	41,431	41,757	47,554	57,596	64,076	70,168
11th.....	1825	213.0	58,953	64,230	63,855	68,778	75,426	83,337	86,722
12th.....	1825	5,920.0	28,259	47,497	60,510	81,800	245,046	275,587	364,412
13th.....	1827	109.0	26,388	33,364	34,013	37,797	45,884	51,649	58,802
14th.....	1827	108.0	23,382	26,436	26,453	30,171	28,094	30,752	31,904
15th.....	1832	225.0	25,572	27,587	25,529	31,882	25,399	32,707	26,216
16th.....	1836	318.0	41,972	48,359	48,235	52,188	49,134	61,419	57,430
17th.....	1837	266.0	79,563	95,365	101,075	104,837	103,158	107,737	114,727
18th.....	1846	500.0	47,613	59,593	61,195	66,611	63,270	70,299	67,469
19th.....	1850	1,851.0	39,945	86,090	118,727	158,191	234,846	257,766	267,076
20th.....	1851	418.7	61,884	75,407	79,764	86,015	84,327	93,844	94,969
21st.....	1853	380.0	38,669	56,703	58,231	66,536	63,019	78,689	72,144
22d.....	1853	1,681.0	47,361	71,349	83,420	111,606	153,877	184,979	194,893
23d.....	1874	4,267.0	.....	.....	24,320	28,338	53,948	60,445	81,567
24th.....	1874	8,050.3	.....	.....	11,874	13,288	20,137	20,810	26,508
Total.....	....	25,804.5	726,385	942,292	1,041,886	1,206,299	1,515,301	1,710,715	1,851,060

CHAPTER 320.

AN ACT to provide for the location, acquisition, construction and improvement of additional public parks in the city of New York.

Passed May 13, 1887; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of street opening and improvement of the city of New York is hereby authorized and empowered to select, locate and lay out such and so many public parks in the city of New York, south of One Hundred and Fifty-ninth street, as the said board may from time to time determine. It shall be lawful for the said board, and for all persons acting under its authority and by its direction to enter in the day time into and upon any and all lands, tenements and hereditaments which said board shall deem necessary to be surveyed, used or converted for the laying out, surveying and monumenting of any parks so selected as aforesaid, and the said board shall cause two similar maps or plans and profiles of the said parks to be made, showing the location and boundaries of such parks, accompanied with such field notes and explanatory remarks as the nature of the subject shall require, which maps, plans and profiles, together with such notes and remarks, shall be certified to by the chairman of said board, or by one of the members thereof designated by said board for that purpose, before any person authorized by law to take acknowledgments of deeds within the county of New York, and shall be filed, one in the office of the register of the city and county of New York, and one in the department of public parks in said city. In the case of each park selected, located and laid out as herein provided, the said board of street opening and improvement shall have the power to determine, in its discretion, whether any, and if any, what proportion of the expense to be incurred in acquiring the land for such park shall be assessed upon the property, persons and estates to be benefited by the acquisition and construction of such park, and in each case in which said board shall determine that any part of such expense shall be so assessed, the said board shall also determine the area within which such part of said expense shall be so assessed. If any street, avenue or public place, or any part of any street, avenue or public place, shall be included within the limits of any park selected, located and laid out as herein provided, the said board of street opening and improvement shall have the power and is hereby authorized to close and discontinue the same so far as the same is included within the limits of such park. The surveys, maps, plans and profiles provided for in this section shall be done and made upon the requisition of the board of street opening and improvement by the department of public parks,

and the cost and expense thereof may be charged against and met and paid out of any appropriation made for said department, in the discretion of the board of parks.

§ 2. Whenever, and as often as the said board of street opening and improvement shall determine, that any of the public parks, selected, located and laid out as hereinbefore provided, should be opened and the title to the lands embraced therein should be acquired by the mayor, aldermen and commonalty of the city of New York for the purposes of such public parks, the said board, by the counsel to the corporation of said city, is hereby authorized to make application to a special term of the supreme court in and for the first department for the appointment of commissioners of estimate, and the said court shall thereupon name three discreet and disinterested persons, being citizens of the city of New York, as such commissioners of estimate, for the purpose of performing the duties hereinafter mentioned in that behalf prescribed. Twenty days' notice of such application shall be published in the City Record and in at least two other public newspapers published in the city of New York. The said board may in its discretion include in one proceeding an application for the opening of as many of the aforesaid parks as in the judgment of said board the public interests may require. Upon the appointment of said commissioners they shall severally take and subscribe an oath or affirmation, before some officer authorized to administer oaths, faithfully to perform the trusts and duties required of them by this act; which oaths shall be annexed to and filed with their report, and it shall be the duty of said commissioners, after having viewed the said lands, tenements, hereditaments and premises required for the purpose of said park or parks, and the lands, tenements, hereditaments and premises included within the area of assessment fixed and determined by the board of street opening and improvement, as hereinbefore provided, if said board shall have fixed such an area, to make a just and equitable estimate of the loss and damage to the respective owners, lessees, parties and persons respectively entitled to or interested in the said lands, tenements, hereditaments and premises, and to make report thereof to the said supreme court without unnecessary delay. In each and every case in which the said board of street opening and improvement shall have determined that a portion of the expense to be incurred in acquiring the land for such parks shall be assessed upon the property, persons and estates to be benefited by the acquisition and construction of such park, the said commissioners of estimate shall make a just and equitable estimate and assessment of the loss and damage, if any, over and above the benefit and advantage, or of the benefit and advantage, if any, over and above the loss and damage, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or

interested in the lands, tenements, hereditaments and premises so required for the purpose aforesaid, and a just and equitable estimate and assessment also of the value of the benefit and advantage of said public park to the respective owners, lessees, parties and persons respectively entitled unto or interested in the respective lands, tenements, hereditaments and premises embraced within the area of assessment fixed and determined as hereinbefore provided by said board of street opening and improvement and not required for the purpose of opening said public park.

§ 3. In each and all and every case and cases where the owners or parties interested, or their respective estates and interests, are unknown, or not fully known to the said commissioners, it shall be sufficient for them to estimate and to set forth and state in their said reports, in general terms, the respective sums to be allowed and paid to the owners and proprietors generally of such lands, tenements, hereditaments and premises, and parties interested therein, for the loss and damage to such owners, proprietors and parties interested in respect of the whole estate and interest of whomsoever may be entitled unto or interested in said lands, hereditaments and premises, respectively, by and in consequence of the taking the same for the purposes in this act provided, without specifying the names of the estate or interests of such owners, proprietors and parties interested, or either of them; and upon the coming of said report, signed by the said commissioners or a majority of them, the said supreme court shall, by order, upon the application of the mayor, aldermen and commonalty of the city of New York, after hearing any matter which may be alleged against the same, either confirm the said report, in whole or in part, or refer the same back to the same commissioners for revisal and correction, or to new commissioners to be appointed by the said court, to reconsider the subject-matter thereof, and the said commissioners, to whom the said report shall be so referred, shall return the said report corrected and revised, or a new report to be made by them, as aforesaid, in the premises, to the said court, without unnecessary delay; and the same, on being so returned, shall be confirmed or again referred by the said court, as justice shall require; and such report, when confirmed by the said court, shall be final and conclusive as well upon the said mayor, aldermen and commonalty of the city of New York as upon the owners, lessees, persons and parties interested in and entitled to the lands, tenements, hereditaments and premises mentioned in the said report, and also upon all other persons whomsoever. And on the final confirmation of said report, the mayor, aldermen and commonalty of the city of New York shall become and be seized in fee of the lands included in said report, the same to be appropriated, converted and used to and for the aforesaid purposes accordingly; and thereupon the said mayor, aldermen and com-

monalty, by the department of public parks, shall immediately take possession of the same without any suit or proceeding at law for that purpose, and all leases and other contracts in regard to said land so taken or any part thereof, and all covenants, contracts or engagements between landlord and tenant, or any other contracting parties shall, upon the confirmation of such reports, respectively cease and determine, and be absolutely discharged according to law.

§ 4. The said commissioners of estimate, at least thirty days before they present their report to the supreme court, shall deposit a true report or transcript of such estimate, in the office of the department of public parks of the city of New York, for the inspection of whomsoever it may concern, and shall give daily notice by advertisement in the newspapers mentioned in the second section of this act, for thirty days after depositing such report as aforesaid, of the said deposit thereof in the said office and of the day on which such report will be presented to the said court; and any person or persons whose rights may be affected thereby, and who may object to the same or any part thereof, may, within thirty days after the first publication of such notice, set forth their objections to the same in writing to the said commissioners, who shall, after hearing the parties so objecting, thereupon reconsider their said estimate and assessment, or the part or parts thereof so objected to, and in case the same shall appear to them to require correction, but not otherwise, they shall and may correct the same accordingly.

The said mayor, aldermen and commonalty of the city of New York shall, within four calendar months after the confirmation of said report, pay to the parties entitled thereto the respective sum or sums so estimated and reported in their favor respectively, with lawful interest from the date of such confirmation, and in default thereof said persons or parties respectively, his, her or their respective heirs, executors, administrators, successors or assigns may sue for and recover the same, with lawful interest from and after demand therefor, and the cost of suit.

§ 5. Whenever the owners and proprietors of any lands, tenements, hereditaments and premises to be taken for any of the purposes aforesaid, or the party or parties, person or persons interested therein, or in whose favor any such sum or sums or compensation shall be so reported, shall be under the age of twenty-one years, non compis* mentis, feme covert or absent from the city of New York; and also in all cases where the name or names of the owner or owners, parties or persons entitled unto or interested in any lands, tenements, hereditaments or premises that may be so taken for any of the purposes aforesaid, shall not be set forth or mentioned in the said report; or where the said owners, parties or persons respectively, being named therein, cannot upon diligent inquiry be found, it shall be lawful for

the said mayor, aldermen and commonalty to pay the sum or sums mentioned in said report, payable or that would be coming to such owners, proprietors, parties and persons respectively, into the supreme court, to be secured, disposed of, improved and paid out as the court sitting at general term for said district shall direct; and such payment shall be as valid and effectual in all respects as if made to the said owners, proprietors, parties and persons respectively, themselves, according to their just rights, if they had been known, and had all been present, of full age, discovert, and compis* mentis; and provided, also, that in all and each and every case and cases where any such sum or sums or compensation so to be reported by the said commissioners in favor of any person or persons, party or parties, whatsoever, whether named or not named in said report, shall be paid to any person or persons, party or parties, whatsoever, when the same shall of right belong and ought to have been paid to some other person or persons, party or parties, it shall be lawful for the person or persons, or party or parties to whom the said ought to have been paid, to sue for and recover the same, with lawful interest and costs of suit, as so much money had and received to his or their use, by the person or persons, party or parties, respectively, to whom the same shall have been so paid. The said commissioners shall include and set forth in their said report the name of the respective owners, lessees, parties and persons entitled unto or interested in the said report, and each and every part and parcel thereof, as far forth as the same shall be ascertained by them, and add a sufficient designation and description of such respective lands and parcels of land aforesaid, and also the several respective sums estimated as and for the compensation and recompense or allowance to be made for the loss and damage of the respective owners of the fee or inheritance of such said lands, tenements, hereditaments and premises respectively, and for the loss and damage of the respective owners of the leasehold estate, or their interest therein separately. And the said commissioners shall also include in said report the amount of their fees, and all costs and disbursements for expenses for services, maps and other things.

§ 6. In case of the death, resignation or refusal to act of any such commissioner of estimate appointed as hereinbefore provided, it shall and may be lawful for the court aforesaid, or any one of the justices thereof, on the application of the mayor, aldermen and commonalty of the city of New York, as often as such event shall happen, to appoint a discreet and disinterested person, being a citizen of the said city of New York, in the place and stead of such commissioner so dying, resigning or refusing to act, and the surviving or acting commissioners, as the case may be, shall have full power to proceed in the execution of the duties of their appointment until a

* So in original.

successor to the commissioner so dying, resigning or refusing to act shall be appointed.

§ 7. In each and every case of the appointment of commissioners under this act, it shall be competent and lawful for any two of such commissioners so appointed as aforesaid to proceed to and execute and perform the trusts and duties of their said appointment, and their acts shall be as valid and effectual as the acts of all the commissioners so to be appointed if they had acted together would have been; and, further, in all cases the acts, proceedings and decisions of a major part of such of the commissioners as shall be acting in the premises shall be as binding, valid and effectual as if the said commissioners named and appointed for such purpose had all concurred and joined therein. The commissioners appointed under and by virtue of this title who shall enter upon the duties of their appointment shall each be entitled to receive such compensation as shall be awarded by the court upon the confirmation of their respective reports, not exceeding ten dollars for each day they shall respectively be actually employed in the duties of their appointment, besides all reasonable expenses, to be taxed and allowed by said court, for maps, surveys, clerk hire and other necessary expenses and disbursements, and the same shall be included in and considered and paid as part of the expense of acquiring the respective public parks.

§ 8. The respective sums so as aforesaid to be assessed by said commissioners upon the owners, occupants and parties seized or possessed of or interested in the lands, tenements, hereditaments and premises mentioned in the report of said commissioners, and reported by said commissioners as and for the allowance to be made by the parties and persons respectively in the said report mentioned or referred to, and intended as owners and proprietors of or parties interested in lands and premises deemed to be benefited for the benefit and advantage to be derived from the acquisition and construction of said public park or parks mentioned in said report shall be a lien or charge on the lands, tenements, hereditaments and premises in the said report mentioned, or upon the estate and interest of the respective owners, lessees and parties interested in said lands, tenements, hereditaments and premises for or on account of which the said respective sums shall be so assessed by said commissioners upon the said respective owners and proprietors thereof and parties interested therein. As well the said owners and proprietors thereof and parties interested therein, and also the occupants and each and every one of them, shall moreover be respectively liable to pay on demand the respective sum or sums or assessments mentioned in said report, at which the respective lands, tenements, hereditaments and premises so owned and occupied by him, her or them, or wherein he, she or they are so interested, or at which the owners or proprietors thereof shall be so assessed, to such person or persons as the comptroller of the city of New

York shall appoint to receive the same. The said respective sums or assessments, with lawful interest from the date of the confirmation of the report, may be* received with all costs and charges by action by the said mayor, aldermen and commonalty of the city of New York, from and against the parties assessed, or the owner or owners of the respective lands, tenements, hereditaments and premises whereon, or in respect of which, the same may be assessed or set forth in the said report of the said commissioners, or from or against any or either of the said parties or owners without joining any other or others of them, the said parties or owners.

§ 9. The department of public parks of the city of New York shall be vested and charged with the care, custody and construction of said parks, when the same shall have been acquired, as hereinbefore provided, and shall be and hereby are authorized and empowered to construct the said parks in such manner, and to erect and furnish therein for public purposes, for the comfort, health and instruction of the people, such and so many buildings as the said department of public parks, with the concurrence of the board of estimate and apportionment, shall determine to be necessary and expedient.

§ 10. For the payment of all expenses to be incurred under the authority of this act, including the damages awarded and expenses incurred upon the acquisition of land and of estates and interests therein, and the construction of said parks, and the erection and furnishing of buildings therein, the comptroller of the city of New York shall issue from time to time bonds or stock of the mayor, aldermen and commonalty of the city of New York, to be payable from taxation and redeemable in not less than ten nor more than thirty years from the date of issue, in such amounts as shall be necessary to carry out the purposes of this act, and the mayor and comptroller are hereby authorized and directed to sign said bonds, and it shall be the duty of the clerk of the common council of said city to countersign the same and to affix thereto the seal of said city. Said bonds shall bear interest at a rate to be fixed by the comptroller, not exceeding four per centum per annum, and shall not be disposed of at less than the par value thereof. But no contract shall be entered into or liability incurred for the construction of any of said parks, or for the erection of any building therein, until the plans for such construction or erection, and, in the case of a building, an estimate of the cost thereof, shall have been prepared by the department of public parks and submitted to and approved by the board of estimate and apportionment of said city. But no more than the sum of one million of dollars shall be expended or authorized to be expended in any one year under the provisions of this act.

* So in original.

MSH 20096

END OF
TITLE